

United States District Court

for the
Western District of New York

United States of America

Case No. 24-MJ-4013

V.
TIMOTHY JACKSON JR. a/k/a "T", "T-Rock",
GARY FULLER a/k/a "G",
AMARILIS DIAZ a/k/a "Amy"
SHAWNLE McCLARY,
RADHAMES CANDELARIO-LOPEZ
FELICIA COLLINS a/k/a "Keisha Brown" a/k/a "Keisha"
SHAMAR ANDERSON a/k/a "Zay"
JAVIER DAVILA a/k/a "Javi",
DONDE LINDSAY a/k/a "Dundee",
Defendants

CRIMINAL COMPLAINT

I, **SEAN KRUMHOLZ**, the complainant in this case, state that the following is true to the best of my knowledge and belief.

In or about 2021 to January 17, 2024, in the County of Monroe, in the Western District of New York, the defendants **TIMOTHY JACKSON JR, GARY FULLER, AMARILIS DIAZ, SHAWNLE McCLARY, RADHAMES CANDELARIO-LOPEZ, FELICIA COLLINS, SHAMAR ANDERSON, JAVIER DAVILA, and DONDE LINDSAY** committed violations of Title 21, United States Code, Sections 846 (conspiracy to possess with intent to distribute and to distribute 5 kilograms or more of cocaine and/or 400 grams or more of fentanyl), AND (except **CANDELARIO-LOPEZ and DIAZ**) Title United States Code, Section 924(c)(1)(A) (possession of a firearm in furtherance of drug trafficking crime)

Defendants JACKSON, FULLER, McCLARY, CANDELARIO-LOPEZ, and LINDSAY also committed violations of Title 18, United States Code, Section 922(g)(1) (felon in possession of firearm and/or ammunition).

SEE ATTACHED AFFIDAVIT OF SPECIAL AGENT SEAN KRUMHOLZ.

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.



Complainant's signature

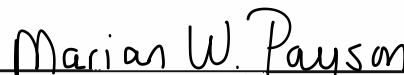
S/A SEAN KRUMHOLZ, ATF

Printed name and title

Affidavit and Criminal Complaint submitted electronically by email in .pdf format. Oath administered, and contents and signature, attested to me as true and accurate telephonically pursuant to Fed.R.Crim. P. 4.1 and 4(d) on:

Date: January 22, 2024

City and State: Rochester, New York



Judge's signature

HONORABLE MARIAN W. PAYSON
UNITED STATES MAGISTRATE JUDGE

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

24-MJ- 4013

v.

TIMOTHY JACKSON JR. a/k/a “T”, “T-Rock”,
GARY FULLER a/k/a “G”,
AMARILIS DIAZ a/k/a “Amy”
SHAWNLE McCLARY,
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FELICIA COLLINS a/k/a “Keisha Brown” a/k/a “Keisha”
SHAMAR ANDERSON a/k/a “Zay”
JAVIER DAVILA a/k/a “Javi”,
DONDE LINDSAY a/k/a “Dundee”,
Defendants.

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, SEAN KRUMHOLZ, affirm to the following facts:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, & Explosives (hereinafter designated as ATF), and am assigned to the Rochester, New York Field Office. Accordingly, I am the kind of Special Agent as delineated in Title 18, United States Code, Section 3051. Your affiant is a graduate of the Federal Law Enforcement Training Center Criminal Investigator Training Program and the ATF National Academy Special Agent Basic Training, both located in Glynco, Georgia. Your affiant has been employed as an ATF Special Agent since June 2018. Previously, your affiant was employed by the Pentagon Force Protection Agency for approximately nine years. Your affiant earned a Bachelor of Arts Degree in Sociology with a concentration in Criminal Justice from Saint Francis University in 2007. As part of my professional training, I have received extensive training on the identification and characteristics of firearms, as well as

training in the characteristics and field-testing processes for narcotics. I have participated in executing federal search and seizure warrants and have assisted in seizing contraband, including firearms, and illegal narcotics.

2. This affidavit is submitted in support of a Criminal Complaint charging TIMOTHY JACKSON JR, GARY FULLER, AMARILIS DIAZ, SHAWNLE McCLARY, RADHAMES CANDELARIO-LOPEZ, FELICIA COLLINS, SHAMAR ANDERSON, JAVIER DAVILA, and DONDE LINDSAY with violations of Title 21, United States Code, Sections 846 (conspiracy to possess with intent to distribute and to distribute 5 kilograms or more of cocaine and/or 400 grams or more of fentanyl), and (except CANDELARIO-LOPEZ and DIAZ) Title 18, United States Code, Section 924(c)(1)(A) (possession of firearms in furtherance of drug trafficking crime), and JACKSON, FULLER, McCLARY, CANDELARIO-LOPEZ, and LINDSAY, with a violation of Title 18, United States Code, Section 922(g)(1) (felon in possession of firearm and/or ammunition).

3. As more fully described below, the facts in this affidavit are based on a combination of my personal participation in this investigation, review of police reports filed in connection with this investigation, conversations with other law enforcement officers involved in this investigation, and my review of conversations that have been intercepted pursuant to court-authorized wire surveillance. The conclusions drawn in this affidavit are based on my training and experience, as well as on the advice of other experienced federal, state, and local narcotics investigators. Since this affidavit is being submitted for a limited purpose, I have not included each and every fact that I know concerning this investigation. Rather, I have set forth only those facts that relate to the issue of whether probable cause

exists to believe that the above-named defendants committed the above-mentioned offenses.

In support thereof, I respectfully state the following:

OVERVIEW OF CONSPIRACY

4. Since October 2021, law enforcement has been investigating the narcotics cocaine and fentanyl trafficking and violence of TIMOTHY JACKSON, JR (hereinafter “JACKSON”) and GARY FULLER (hereinafter FULLER). As set forth in more detail below, the investigation has utilized controlled purchases of narcotics by multiple confidential informants from the targets and/or target locations, surveillance (physical and electronic), and wiretap intercepts.

5. The investigation has revealed that JACKSON and FULLER are the leaders of a Rochester-based drug trafficking organization (hereinafter JACKSON DTO) that is responsible for distributing multiple kilograms of cocaine in the City of Rochester. The JACKSON DTO is involved in the transportation and sale of cocaine and is also responsible for acts of violence in furtherance of the organization’s drug trade. The JACKSON DTO obtains kilogram quantities of cocaine from sources and utilizes multiple locations on Angle Street as well as other locations throughout the City of Rochester to receive, store, and/or sell their supply of illegal narcotics. The DTO utilizes 49 Angle Street and 69 Angle Street to stash narcotics. Members of the JACKSON DTO then distribute in bulk (31-gram and/or 62-gram quantities), or break down and package the narcotics in street-level quantities to be further distributed out of drug sale locations, including 19 Angle Street and 96 Angle Street. The organization is known to sell cocaine by the gram for \$30.00, they also sell \$5.00 bags of cocaine and fentanyl.

6. JACKSON is the leader of the DTO. JACKSON obtains kilogram quantities of cocaine, which he uses the cocaine to supply the DTO sale locations, and also sells directly to mid-level narcotics dealers. FULLER replenishes the drug sale locations used by the DTO. FULLER is a supervisor for the DTO locations, replenishing the narcotics supply at drug sale locations. FULLER also stashes, processes, and packages narcotics at 86/88 Forester Street. Felicia COLLINS a/k/a “Keisha” (hereinafter COLLINS) is a distributor and supervises workers, including Shamar ANDERSON a/k/a “Zay” (hereinafter ANDERSON, Javier DAVILA a/k/a “Javi” (hereinafter DAVILA), and uncharged co-conspirator KP a/k/a KD, at drug sale locations, including 49 Angle Street and 96 Angle Street. Shawnle McCLARY (hereinafter McCLARY) is a fentanyl supplier who recently has also become a cocaine supplier for the organization. Elijah ADAMS a/k/a “Fat Boy” (hereinafter ADAMS) is a mid-level narcotics distributor who obtains larger quantities of cocaine and fentanyl from JACKSON. ADAMS utilizes 423 Murray Street as a sale location, and also stores, processes and packages narcotics at his residence at 656 Jefferson Avenue, Rochester, New York. Donde LINDSAY a/k/a “Dundee” (hereinafter LINDSAY) is a mid-level narcotics distributor who obtains larger quantities of cocaine from JACKSON that he processes into crack cocaine at his residence at 135 Fifth Street (up), Rochester, New York. Jason MOORE is a mid-level narcotics distributor who obtains larger quantities of cocaine from JACKSON.

ORDERS AUTHORIZING THE INTERCEPTION OF WIRE COMMUNICATIONS

7. Between October 30, 2023, and January 17, 2024, Monroe County Court Judge Julie Hahn issued orders authorizing the interception of wire communications over several telephone numbers related to this investigation to include the following:

- a. 585-664-6577 (hereinafter “JACKSON CELL PHONE”) utilized by TIMOTHY JACKSON JR.;
- b. 585-202-0005 (hereinafter “FULLER CELL PHONE”) utilized by GARY FULLER;
- c. 716-808-2018 (hereinafter “COLLINS CELL PHONE #1”), 585-537-8555 (hereinafter “COLLINS CELL PHONE #2”), and 585-642-2035 (hereinafter “COLLINS CELL PHONE #3”) utilized by FELICIA COLLINS; and
- d. 585-665-6755 (hereinafter “McCLARY CELL PHONE”) utilized by SHAWNLE McCLARY.

8. The listed subscriber for the FULLER CELL PHONE and the JACKSON CELL PHONE is Rick Ross. The listed subscriber for the McCLARY CELL PHONE is subscribed to Statefarm Jake. Neither COLLINS CELL PHONE #1 nor #2 has a subscriber listed. However, COLLINS CELL PHONE #1 and CELL PHONE #2 are attached to the CashApp account for COLLINS. Many times drug dealers, in an effort to thwart law enforcement, will use prepaid cellular telephones or telephones that have been purchased in someone else’s name or list someone other than the user as the subscriber.

9. Excerpts of calls intercepted pursuant to the wiretap orders are presented below. In many instances, participants in the conversations identify themselves by name or nickname. Telephone subscriber and address checks were conducted for numbers dialed to and from the cellular telephones subject to the wiretap orders. Surveillance conducted in conjunction with intercepted communications was also utilized to confirm the identity of callers. Frequently, the voices of participants in the telephone conversations are identified

because law enforcement personnel who have heard the recorded conversations are familiar with the speakers' voices. One or all of these methods has been used to identify speakers in the excerpts of intercepts presented below.

POLE CAMERA FOOTAGE

10. Throughout the investigation, law enforcement has utilized mobile (live/physical) surveillance, pole camera footage, and data from GPS trackers installed on target vehicles pursuant to court orders to monitor the suspects, vehicles, and relevant locations. Beginning in August 2023, a number of surveillance cameras were installed on public property to maintain video surveillance of certain locations involved in this investigation to include video of the following locations. Pole camera footage was obtained at the following locations, (including from cameras installed at different times between August of 2023 and January 2024):

- 45 Willmont Street, Rochester, New York (JACKSON'S residence);
- 86/88 Forester Street, Rochester, New York (FULLER'S residence);
- 186 Mobile Drive, Rochester, New York (McCLARY'S residence);
- 181 Rossiter Road, Rochester, New York (McCLARY'S stash location);
- 19 Angle Street (Down), Rochester, New York (drug sale location);
- 49 Angle Street, Rochester, New York (drug stash location);
- 69 Angle Street, Rochester, New York (drug stash location);
- 96 Angle Street, Rochester, New York (drug sale location); and

- 423 Murray Street, Rochester, New York (drug sale location of ADAMS).

VEHICLES USED BY JACKSON DTO MEMBERS

11. Members of this DTO utilized multiple vehicles to facilitate the narcotics distribution activity. The following are some of the vehicles utilized by members of the DTO throughout the investigation, and the individual who primarily (if not exclusively) drove the vehicle during the investigation based on surveillance observations and pole camera footage:

- 2017 Chevrolet Tahoe bearing NYS License Plate HNL1850 (hereinafter JACKSON's TAHOE);*
- 2005 Ford F-150 bearing NYS License Plate KWY1902 (hereinafter JACKSON's FORD);*
- Chevrolet rental bearing NYS License Plate KAS4457 (hereinafter FULLER's CHEVY);
- 2000 Acura RL bearing NYS License Plate LDX6111 (hereinafter FULLER's ACURA);*
- 2001 Chevrolet Suburban bearing NYS License Plate LDX6110 (hereinafter FULLER's SUBURBAN);
- 2024 Subaru Outback bearing NYS License Plate LGD7979 (hereinafter McCLARY's SUBARU);*
- 2008 Hyundai Elantra bearing NYS License Plate KSK1935 (hereinafter McCLARY's HYUNDAI);*
- 2008 Mazda 6 bearing NYS License Plate KXA2169 (hereinafter McCLARY's MAZDA);*

* denotes that law enforcement obtained GPS data from a mobile tracker installed on the vehicle pursuant to court order

TIMOTHY JACKSON JR.

12. TIMOTHY JACKSON JR. (hereinafter JACKSON) is a 46 year-old male black with felony firearms and narcotics convictions.

- On April 5, 2000, in County Court, Monroe County, Rochester, New York, JACKSON was convicted of Attempted Criminal Possession of a Controlled Substance in the Third Degree (Intent to Sell), a class C felony, for which he was sentenced to 1 year imprisonment.
- On January 27, 2005, in County Court, Monroe County, Rochester, New York, JACKSON was convicted of Criminal Possession of a Weapon in the Second Degree, a class C violent felony, Criminal Possession of a Weapon in the Third Degree (Loaded Firearm), Criminal Possession of a Weapon in the Third Degree (Previous Conviction), and Reckless Endangerment in the First Degree, for which he was sentenced to an aggregate term of 15 years imprisonment and 5 years post-release supervision.

13. JACKSON is currently employed by the City of Rochester at Pathways to Peace.¹ JACKSON resides at 45 Willmont Street, Rochester, New York.

14. The investigation has revealed that JACKSON is the leader of the DTO. JACKSON acts with the assistance of co-conspirators, including but not limited to FULLER, COLLINS, and McCLARY. In multiple wiretap calls, JACKSON asserts his control over the operation, directs employees in the manner in which he wants the operation to run, and threatens violence to those who do not comply. JACKSON also delivers larger quantities of narcotics to mid-level distributors MOORE, ADAMS, and LINDSAY.

Intercepted Phone Communications Involving JACKSON

¹ Pathways to Peace is crime prevention program in the City of Rochester “that provides support and nonviolent alternatives for youth who are resorting to violence to settle disputes or becoming involved in gangs and drugs.” <https://www.cityofrochester.gov/pathwaystopace/>

15. On **November 8, 2023**, at approximately 12:00 PM, the following outgoing call to (585) 664-5574, utilized by KP, was intercepted on JACKSON CELL PHONE (Ref# 1214).

TJ: Timothy Jackson

KP: KP a/k/a KD

KP: Yo.

TJ: Cuzzo, what's the word?

KP: Nuttin'. I just finished, ummm, bagging then I came back, umm, 19, el- 11. 1190.

TJ: 1190? Alright.

KP: Yeah. I was about to ask, umm, if I could get another one to work off?

TJ: Yup. I gotta put it together. I got you. I get it. I'm about to go do it right now matter of fact.

KP: Alright.

16. Based on my training, experience, and knowledge of this investigation, I believe that KP is advising JACKSON that KP completed packaging a quantity of narcotics that resulted in 1190 individual bags for sale, and also asking JACKSON for another piece to cut up and package to make some more money. JACKSON agrees to get some more narcotics for KP to sell.

17. On **November 22, 2023**, at approximately **9:24 PM**, an approximately 23-minute incoming call from FULLER CELL PHONE was intercepted on JACKSON CELL PHONE (Ref # 4111). A portion of the call is transcribed below:

TJ: Timothy Jackson

FC: Felicia Collins

KP: KP a/k/a KD

TJ: 150 of "H" means he sold a couple bags.

FC: He came and got (inaudible) "H" and he had 500 "B".

TJ: Ya gotta be paying attention to everything they (inaudible). Put it in terms so you can understand what's going on, so we don't gotta (inaudible) trying to figure it out. KD, you gotta mark it down throughout the middle of the night 'cause ain't nobody here. And when you come back, we already got the count. When she come in the morning, she got to give me the full count. Your job is just to take from the, jot it down, give them, jot it down. I'll take care of the rest. You ain't gotta do nothing else. Don't worry about what it is they gave you. Know what

you giving them. Jot it down, whatever you take from them, cash, jot it down so we know what's going on. (inaudible) how you doing to, just in case we got a hiccup in the program. That way we ain't gotta worry about it. We all set. But it's there. It's just all jumbled around throughout the night. They back, they forth, they here, they coming to get this, they coming to get that, they droppin' off this, they dropping off that. So I understand they gonna run out of one before they run out of the other one. That's why it could get a little cris-crossed. So that's why we gotta just jot it quick. (inaudible) they come to the door, count the money out, jot it.

KP: I go down there. They don't give you money (inaudible)

TJ: Yeah, but make sure you tell them to give me the money. Tell them that.

KP: They be taking mad long.

TJ: (inaudible) that's my next phase I was about to explain to you. When you talk to them on the phone, when you going down there, you tell them I'm about to pull up. Have them (inaudible) wait, stagger. Give them about 10 minute, 15. Let them get it together 'cause they might not be ready. When you get down there, you still be waiting. Your mission is to get the money so you out there looking crazy. They don't got it ready, don't just leave. (inaudible) call them back before you go. "Y'all got the money ready? I'm walking out." I'm saying they gotta have the money ready. Cuz said have the money ready, have the money ready. Have it together the way it's supposed to be. It's what I is. You don't wanna tell them you coming (inaudible), I mean we moving on strategic time. We aint trying to be out doing bullshit. (inaudible) we moving, we moving very strategic. Don't nobody really know what we doing, quick sneak move, get the fuck back to what we supposed to get to (inaudible). And that with all that being said, make the call. Tell them niggas when they call you for whatever, and said they need it, you ask them right then and there. Take the money, count everything you got left. Everything, send me the boy count, the "H" count and the money count. When y'all got it counted out then I'm gonna come and get it.

KP: (inaudible)

TJ: Same way we count it, make sure they see you do it like that. Sometime they be having little shit left over and they don't think everything count. Well, not the nigga at nighttime. He gonna count so you really don't even have to worry about that. But whichever money to the other one just know that it's gonna go like that. (Inaudible) Cuz gonna do that anyway you don't gotta tell him that. Then text that's what he gonna send to you. (inaudible) the money, do the total (inaudible) do that every time. That's why we dealin' with this right now, 'cause this goofy nigga. But if we was doin our job (inaudible) doing this shit. KD, if you would have jotted it down we wouldn't be having none of this conversation right now.

KP: Alright.

TJ: we would have had it covered. Cause we can't trust them cause you gotta remember this is a whole different element to how we handle shit around here. We on a different shit. They still running (inaudible), you boy is great at what he do, but the other one goofy. I doubt he will ever be great at this type of work cause his mind is not really on. See how he sittin' here watchin this shit right now. He not sitting here watching shit.

KP: Oh yeah, I know. I be watching, I be tryin' to hit him on the radio, tryin' to tell him

TJ: He not on the radio neither. He's nothing. He's doing nothing. He in lala land. All I can do is throw it up to the cocaine gods and hope they don't hit that mother fuckin house cause he ain't ready.

KP: Inaudible

TJ: That don't mean he ready though, know what I sayin? When I come in here (inaudible) this whole shit, break this whole shit down and put it together and when I leave and I say, 'Yo KD, you just follow the rules that I give you of this shit, we aint ever gonna get caught 'cause that's what we do we follow the order. I know you fuck up between bags sometimes I know what the fuck you got goin on, but for the most part niggas is on point. Pay attention nigga we can't lose.

KP: He don't pay attention.

TJ: He will, but I mean the other nigga will but the other nigga he really don't, know what I'm sayin'. He in lala land. This shit, this shit is never never land for this nigga. He think this a game. He ain't ever been in that situation where shit is really real like that. He don't know - keep the board on the door all the time, watch the cameras, you know, keep Cuzzo on speed dial, he don't know that shit. He don't know comfortable it is when you hit the phone every time Cuzzo gonna pick up. He don't know what this nigga be doing or how he do it (inaudible) he don't miss too many calls. He might be in the driveway sleep, you gotta watch for a nigga 'cause he might be around this bitch. They not operating how we operate that why I tell y'all, when y'all nigga ain't babysittin, y'all ain't getting paid to babysit. But at the end of the day they still they still bringing money to the same (inaudible) that we eating from you know what I'm saying what I'm sayin. So why would we protect it every time we get a chance too. It aint gonna always be that we need to go through motha fuckas on the (inaudible) like motha fuckas like (inaudible) working the program. Shit just be fucked up sometimes. Shit you know the dollar gonna keep ringing and niggas gonna keep going for it. And they gonna be blessed to have motha fuckers like y'all that work the program. Y'all know how long we been doing this shit? You know how smooth we run the program? Man, shit! We runnin shit a little too smooth! I'm starting to think we might need to endeavour into some different type of motha fuckin hustle 'cause we kind of satin with this one. We getting, we getting invisible, right? Everybody pay attention. Everyone on they job. KD fuck up some time but he getting though, he came a long way. He got this shit, to be honest with you he got his little (inaudible), he don't know that he don't really know how savage we is cuz and we don't give a fuck about about nothing.

18. Based on my training, experience, and knowledge of this investigation, “H” (in reference to hard) is a code used by members of this DTO to refer to crack cocaine; “B” (in reference to boy) is a code used for fentanyl. In the above call, JACKSON provides instruction on how JACKSON wants his DTO to operate and the responsibilities that KP (KD) has in reporting the count to COLLINS. JACKSON also discusses the poor communication with the DTO, and how if one employee working a house is not paying attention, watching the camera and answering the phone if someone calls, they are in trouble if the police execute a warrant (“*He not on the radio neither. He's nothing. He's doing*

nothing. He in lala land. All I can do is throw it up to the cocaine gods and hope they don't hit that mother fuckin house cause he aint ready."). JACKSON is telling KP and COLLINS that when they are running low on cocaine or fentanyl they need to contact FULLER, unless things are real bad, then contact JACKSON first. In this call I believe JACKSON asserts his power as the leader of the DTO.

19. During the week of **December 4, 2023**, a confidential informant (hereinafter CI-4) was informed by COLLINS at 49 Angle Street that they would no longer be selling out of 49 Angle, and that they would start selling at 96 Angle Street.²

20. On **December 9, 2023**, between approximately **8:43 AM** and **1:30 PM**, JACKSON, FULLER, and COLLINS coordinated switching the drug sale operation from 49 Angle Street to 96 Angle Street. During those hours, all three were observed at various points coming or going from 49 Angle Street and 96 Angle Street, removing items from the location, bringing other individuals to the location, and meeting with drug users/customers to help move items from one location to the other. For example, at approximately **10:51 AM**, pole camera footage shows JACKSON, FULLER, and COLLINS all present at 49 Angle Street and appear to be breaking down a make-shift tent in the back yard that had been set up for users to consume their drugs after purchasing them at 49 Angle Street. At approximately **11:02 AM**, JACKSON and FULLER leave, and unknown males continue to work in the backyard of 49 Angle Street. Pole camera footage showed the unknown males moving items from 49 Angle Street to 96 Angle Street, and it also showed the belongings of

² CI-4 is a drug user who has been working as a confidential informant for approximately six months and has been financially compensated for making controlled purchases and providing information. CI-4's information has been credible and reliable, and corroborated by other independent sources, and has resulted in seizures of narcotics and arrests of at least one individual on felony narcotics and firearms offenses.

the occupants of 96 being moved out. At approximately **12:48 PM**, a male wearing a gray sweatshirt and black pants carried a board from 49 Angle to 96 Angle.

21. At approximately **1:39 PM**, an incoming call from JACKSON CELL PHONE was intercepted on COLLINS CELL PHONE #2 (Ref #2047), during which pole camera footage confirmed COLLINS was located inside 96 Angle Street and JACKSON was inside JACKSON's TAHOE sitting in the driveway of 49 Angle Street.

TJ: Timothy Jackson

FC: Felicia Collins

FC: Yup.

TJ: Yo, you all pay the niggas for moving the shit?

FC: Yeah, I gave them one apiece.

TJ: You gave them one?

FC: Yeah, Red said he was good with one because he had to go, the other nigga accepted the one, so, and then I gave Corey a one and one.

TJ: So what was they supposed to be getting?

FC: I don't know, he told me to ask them what they think was fair, but Red already came in here, and he said he would take one so..

TJ: So when you talked to Cuzzo, he didn't tell you exactly what they, what to give them?

FC: He told me to ask them what they think is clear, but I never asked them, 'cause Red said he was good with one. I only gave them one apiece. And the man that cleans the yard over there, I gave him one and \$5.

TJ: Alright. So you gave, the Jamaican nigga, he saying you gave him one. He saying he did a bunch of shit.

FC: With the gray hoodie? Yeah, I only gave him one.

TJ: Yeah, so you need to ask Cuzzo what he is doing. He giving the nigga \$5 like what is he doing like...?

FC: I mean, tell them to come get another one I guess.

TJ: She said come back over there.

22. At the time of the above call, pole camera footage showed the male wearing a gray sweatshirt and black pants talking to JACKSON in the driveway of 49 Angle Street and walking back to 96 Angle Street.

23. Based on my training, experience, and knowledge of this investigation, JACKSON and COLLINS are discussing providing a quantity of narcotics to the

individuals who moved items from 49 Angle Street to 96 Angle Street.

24. On **December 11, 2023**, at approximately **3:19 PM**, the following incoming call from JACKSON CELL PHONE was intercepted on FULLER CELL PHONE (Ref # 2959):

TJ: Timothy Jackson

GF: Gary Fuller

GF: What's good, cuzzo?

TJ: Aint shit, what up?

GF: Shit, chillin. Shit, I forgot, um, forgot the um, the G's

TJ: Huh?

GF: I forgot to tell you, I need one for the G's. Called ya yesterday..

TJ: Ah.

GF: But I end up, I end up takin a little outta, you know, the one til I get that. I forgot all about that.

TJ: Oh boy.

GF: So no rush, whenever you. um, make it this way. Whatever, cuz, just put that together for me please.

TJ: Yeah, um...

GF: Ain't no, aint no rush.

TJ: It's one up, it's one up there. It's one up there, the same place.

GF: Oh, you want me to just grab that? Alright.

TJ: Yup, might as well.

GF: Alright, um, you gave cuzzo upstairs some'in to do?

TJ: I gave it to her last night.

GF: Alright, I'm 'bout to see where she at on it...I'm at right now too, 'bout to go knock on her door right now an grab that, see where she at.

TJ: Yup.

GF: Get on that...alright [audible walking, opening doors, GF mumbles something then knocking on a door]

TJ: Alright.

GF: That's it, cuzzo.

25. At approximately **4:12 PM** pole camera footage showed FULLER exit 86/88 Forester and depart.

26. Based on my training, experience, and knowledge of this investigation, I believe that FULLER is telling JACKSON that he needs a quantity of narcotics, and JACKSON is telling FULLER that there is cocaine at 88 Forester Street (“*It's one up, it's one*

up there. It's one up there, the same place"). FULLER asks JACKSON for permission to take that quantity of narcotics and JACKSON agrees (*"GF: Oh, you want me to just grab that? Alright. TJ: Yup, might as well"*). FULLER asks if JACKSON gave some drugs to process and package to Amarilis DIAZ a/k/a Amy (who lives in the upstairs apartment above FULLER at 88 Forester) (*"you gave cuzzo upstairs some'in to do?"*) and JACKSON confirms that he gave some to DIAZ the night before (*"I gave it to her last night"*). (This is confirmed by pole camera footage which shows that on **December 10, 2023** at approximately **6:01 PM**, JACKSON arrived at 86/88 Forester Street in JACKSON's TAHOE and entered 86/88 Forester Street at approximately **6:10 PM**). FULLER indicates he will go upstairs to check on the status of those drugs DIAZ was packaging to see if they are ready (*"I'm 'bout to see where she at on it...I'm at right now too, 'bout to go knock on her door right now an grab that, see where she at"*) and can be heard going to the upstairs apartment. After doing so, FULLER later departs 86/88 Forester Street.

27. On **December 18, 2023**, at approximately **2:07 PM**, the following outgoing call to COLLINS CELL PHONE #2 was intercepted on JACKSON CELL PHONE (Ref # 7446):

FC: Felicia Collins

TJ: Timothy Jackson

FC: Hello.

TJ: Yup.

FC: Yup.

TJ: What's up (inaudible)?

FC: Nothin', you could bring another one of those (inaudible).

TJ: Huh?

FC: You could bring another one.

TJ: Yeah, I'm about to pull up outside. Bring me that, um, (inaudible) this other shit for you (inaudible).

FC: Ok (inaudible) 6.

TJ: Coming around now.

FC: Alright.

28. At approximately **2:10 PM**, pole camera footage showed JACKSON arrive in JACKSON's TAHOE at 96 Angle Street. COLLINS then exited 96 Angle Street and met JACKSON at the passenger side of JACKSON's TAHOE. At approximately **2:13 PM**, COLLINS re-entered 96 Angle and JACKSON departed in JACKSON's TAHOE.

29. Based on my training, experience, and knowledge of this investigation, COLLINS called JACKSON to inform him that she needed him to re-supply the drug house at 96 Angle Street (*FC: [Y]ou could bring another one of those... You could bring another one*), JACKSON told her he was almost at 96 Angle Street (*TJ: Yeah, I'm about to pull up outside....Coming around now*), and for her to bring him the money from the prior sales (*"Bring me that..."*). JACKSON then arrives at 96 Angle Street, where they exchange the money and drugs while JACKSON is in his JACKSON's TAHOE. During the approximately 11 weeks of wiretap interception, there were multiple occasions where, as on this day, JACKSON arrived and met with COLLINS to re-supply the drug sale location and/or pick up the proceeds from prior sales.

30. On **December 18, 2023**, at approximately **7:02 PM**, an approximately 44-minute incoming call from JACKSON CELL PHONE was intercepted on FULLER CELL PHONE (Ref # 3584). During this call, JACKSON and COLLINS are together at 96 Angle Street, as confirmed by pole camera footage, while speaking to FULLER, who is at a different location. A portion of the call is transcribed below:

TJ: Timothy Jackson

GF: Gary Fuller

FC: Felicia Collins

GF: Yo, cuzzo. Cuzzo! Tell her if she quit-

TJ: *[overlapping]* Quit
 GF: *-nigga, she know what gone happen.*
 FC: *Whatever.*
 TJ: *Yeah, uhhmmm.*
 GF: *Niggas ain't [call cuts out] with you, nigga.*
 FC: *Uhh (unintelligible)*
 TJ: *Nigga got left with the uhm hum hum.*
 GF: *Fuck outta here.*
 FC: *Yeah, a'right.*
 TJ: *Got hit with the uhm uhm uhm.*
 GF: *Fuck outta here [overlapping] Yo, cuz, [call cuts out] yo cuz, you see, you see how niggas do us, cuzzo.*
 FC: *You gone have to.*
 TJ: *Ain't no, boy, this ain't about what we have to do, this about what we gonna do.*
 FC: *Well, do it then.*
 TJ: *This is not a threat, this just tellin' you, like-*
 FC: *[overlapping] Don't even wait. Just do it! Do it!*
 TJ: *We not sayin' that.*
 FC: *What are you, what are you waiting for?*
 TJ: *We waiting for you to quit (unintelligible) you talkin' bout, like, (unintelligible)?*
 FC: *[overlapping] I quit. I quit.*
 TJ: *Man just told you. Huh?*
 GF: *Yo, cuz, you see how niggas do us, cuz?*
 FC: *Whatever. You see how ya'll do me?*
 GF: *We done took care of (unintelligible). We done, we done blast niggas and niggas wanna do us like that, cuz, man.*
 TJ: *That's niggas, man. It always be like that with nigga. It's why they eatin' all fat-*

31. Based on my training, experience, and knowledge of this investigation, I believe that JACKSON and FULLER were threatening to kill COLLINS if she were to quit. I also believe FULLER is referencing prior shootings he and JACKSON have perpetrated when he says, “[W]e done blast niggas”.

32. On **December 18, 2023**, at approximately **8:19 PM**, the following incoming call from (585) 664-5574, utilized by KP, was intercepted on JACKSON CELL PHONE (Ref # 7576):

TJ: Timothy Jackson
KP: KP a/k/a KD

KP: Yo, cuz.

TJ: Yo. Yeah.
 KP: Bro, I, I need some shit, cuz.
 TJ: Need what?
 KP: A what's his name, cuz.
 TJ: A wha, wha, what?
 KP: The pole (unintelligible)
 TJ: Why, wassup?
 KP: Some niggas just found my aunty shit.
 TJ: An they did what?
 KP: Niggas just found my aunty shit.
 TJ: They. Whoa. Niggas. Oh, word?
 KP: Yeah, like, I need it right now though, cuz.
 TJ: Wow. A'right, I'mma see what I can send out. What happened [overlapping] the other day? They gave it to you?
 KP: I can't, I ca, I used that shit. That shit jammin'. I can't use that shit again.
 TJ: From the nigga down the street?
 KP: Yeah.
 TJ: Wow. (sighs) Fuck. Man, so, a'right, man, where you at?
 KP: I'm down the street from, um, the spot right now.
 TJ: Yo, I'm come down there.

33. Based on my training, experience, and knowledge of this investigation, I believe KP is asking JACKSON to give him a firearm as soon as possible (“*A what’s his name, cuz...[t]he pole...I need it right now though, cuz*”) because KP is in a dispute with unnamed individuals who have located his whereabouts. JACKSON agrees to get a firearm to KP and asks KP about the firearm he already has (“*I’mma se what I can send out. What happened [overlapping] the other day?*”), and KP explains to him that the firearm he has keeps jamming and is therefore not adequate (“*I used that shit. That shit jammin'. I can't use that shit again*”).

JACKSON supplies Mid-Level Narcotics Distributors

JACKSON supplies ADAMS at 96 Angle Street

34. On **December 8, 2023**, at approximately **2:41 PM**, the following outgoing call to (585) 802-8409, utilized by Elijah ADAMS (hereinafter ADAMS CELL PHONE) was intercepted on JACKSON CELL PHONE (Ref # 6100):

EA: Elijah Adams

TJ: Timothy Jackson

EA: You know I called you. Where you at big dog?

TJ: I'm out here.

EA: Alright, I need to see you double time.

TJ: Here I come.

EA: I need to see you for what I just seen you for, and my numbers.

TJ: Huh?

EA: You heard me?

TJ: Nah.

EA: I need to see you for my, for what I just sent you for, and one of my (unintelligible)

TJ: Shit...ah.

EA: I'll, I'll come to you.

35. At approximately **4:03 PM**, an outgoing call to ADAMS CELL PHONE was intercepted on JACKSON CELL PHONE (Ref # 6104) during which ADAMS asked JACKSON, “*Where you at brotha?*” to which JACKSON replied, “*Um, same place where I was at before.*” At approximately **4:07 PM**, pole camera footage showed JACKSON arrive at 96 Angle Street in JACKSON’s TAHOE. At approximately **4:09 PM**, JACKSON entered 96 Angle Street.

36. At approximately **4:20 PM**, an incoming call from ADAMS CELL PHONE was intercepted on JACKSON CELL PHONE (Ref # 6105) during which ADAMS said, “*Yo, I don’t see, I don’t see your truck big dog*” and JACKSON replied, “*Just keep coming all the way around the loop, last house, on the right.*” ADAMS responded, “*Oh, okay, I’m by 53...*” At approximately **4:21 PM**, pole camera footage showed ADAMS park a Cadillac sedan in the street near 96 Angle Street and exit his vehicle. JACKSON then exited 96 Angle Street and met with ADAMS in the driveway of 96 Angle Street. At approximately **4:24 PM**,

JACKSON and ADAMS walk down the driveway out of the camera view. At approximately **4:31 PM**, pole camera footage showed ADAMS walk up the driveway toward the street, enter his CADILLAC, and leave.

37. Based on my training, experience, and knowledge of this investigation, I believe that ADAMS called JACKSON because ADAMS needs to meet with JACKSON to get additional cocaine and/or fentanyl from him. JACKSON agreed and ADAMS indicates he will drive to meet JACKSON. I believe ADAMS went previously to 49 Angle Street, which is why he was near that location (“at 53”). However, since the sale location was being changed from 49 Angle Street to 96 Angle Street (see paragraphs 19-23), JACKSON proceeded to that location where he met ADAMS. I believe JACKSON served ADAMS a quantity of narcotics, most likely either 31 grams or 62 grams of cocaine, at 96 Angle Street.

JACKSON directs FULLER to supply ADAMS at 423 Murray Street

38. On **December 14, 2023**, at approximately **5:46 PM**, the following incoming call from JACKSON CELL PHONE was intercepted on FULLER CELL PHONE (Ref # 3223):

TJ: Timothy Jackson

GF: Gary Fuller

GF: ‘Sup baby?

TJ: Yo.

GF: Cuzzo.

TJ: Yessir.

GF: What we doin’?

TJ: You at-You at th...?

GF: I’m on the East.

TJ: Crib?

GF: Mhmm.

TJ: Alright, um, red car up there?

GF: Yeah, his red car out here, yup.

TJ: Alright, I got somethin' out there you can work off of... um... uh (unintelligible) eight in the sink.

GF: (unintelligible) oh, uh, B?

TJ: Yeah.

GF: And it's upstairs?

TJ: Yeah, I got that extra piece he supposed to get. I been giving it to him a little bit at a time.

GF: Oh okay, okay. Where dat...?

TJ: Now he just played himself. Now we gone make a couple dollars off some niggas too for mother fucker.

GF:[Audible knocking and laughs in the background]

TJ: This is the same place. What I do is I just take-I take off-I take the two, then I take off like a G, and I do it how we do it, 1-2-3.

GF: Right, so he want eight?

TJ: Mix it all-

GF: He want eight?

TJ: He want ten.

GF: Ten, so I'm taking five.

TJ: No, take eight and turn it into ten. Don't give him five.

GF: Oh, oh, oh, oh, oh, oh, take the eight, and then just...

TJ: Yup, just take the two and then take one G.

GF: Put the two on there.

TJ: I be just takin like a G, G-or like a G and a half.

GF: Cuzzo!

TJ: G and a half and mix it with two. Uhm...

GF: I need to grab somethin' real quick. What the fuck this nigga doin? Hey doggie! Get your little ass up boy. (laughter)

TJ: (Unintelligible) Lil-Little nigga get with you.

GF: (laughter) Pick that nigga up on my pinkie. (laughter) (unintelligible) Ight.

TJ: Just need to take like one, no bull-like one and a half, mix it with the two.

GF: Yo, so just take the eight and put the two on there.

TJ: Yeah, but I don't put a whole-I don't-I just put like two on or one.

GF: Am I bringing it all together or what?

TJ: Nah leave it, leave this-just break off-just break off a lil-like break off like a G, and stick it together with the two, how we do-how-how we do it.

GF: Yup. 'ight.

TJ: And just let 'em get the-let 'em get the whole piece and then let it be like three...

GF: So Imma just bring the whole thing downstairs then.

TJ: Yup, take it down stair-I got some other-niggas brotha-niggas brothers calling me.

GF: I'm good cuzzo. Alright you can lock this. You said what cuz?

TJ: This nigga brother calling me man. Let me see. He might be calling for the same shit. Let me make sure before you get done real quick.

GF: Oh, I-

39. Pole camera footage reflected that at approximately **5:14 PM**, FULLER entered 86/88 Forester Street and that, at the time of the above call (**5:46 PM**), pole camera footage indicated that FULLER had not departed the location.

40. Based on my training, experience, and knowledge of this investigation, JACKSON contacts FULLER and first determines if FULLER is at his residence at 86/88 Forester and if Elijah ADAMS is there as well (*TJ: You at-You at th...? GF: I'm on the East. TJ: Crib? GF: Mhmm. TJ: Alright, um, red car up there? GF: Yeah, his red car out here, yup.*). JACKSON then directed FULLER to go upstairs to 88 Forester to get fentanyl, which are commonly referred to as “boy” or “B” (*TJ: Alright, I got somethin’ out there you can work off of... um... uh (unintelligible) eight in the sink. GF: (unintelligible) oh, uh, B? TJ: Yeah. GF: And it’s upstairs?*). FULLER can be heard knocking on what I believe was the door to 88, which is the residence of DIAZ. JACKSON then explains to FULLER the quantity of cut to mix or dilute the fentanyl, directing FULLER to add two grams of cut to eight grams of fentanyl to arrive at the requested 10 grams that JACKSON intends to supply ADAMS (*TJ: He want ten. GF: Ten, so I'm taking five. TJ: No, take eight and turn it into ten. Don't give him five.*).

41. At approximately **6:16 PM**, pole camera footage showed FULLER exit 86/88 Forester and depart in FULLER CHEVY. At approximately **6:26 PM**, FULLER made an on outgoing call on FULLER CELL PHONE (Ref # 3225) to JACKSON CELL PHONE stating “*Tell Fat Boy come outside*” to which JACKSON replies, “*Copy.*” At approximately **6:28 PM**, pole camera footage showed FULLER arrive at 423 Murray Street, ADAMS walks across the street, approaches FULLER CHEVY, then returns to 423 Murray Street. ADAMS then entered 423 Murray Street and FULLER departed in FULLER CHEVY. At approximately **6:30 PM**, pole camera footage showed FULLER

arrive at 96 Angle Street, back FULLER CHEVY in the driveway, then enter the front door of 96 Angle Street.

42. Based on my training, experience, and knowledge of the investigation, FULLER departed 86/88 Forester with the 10 grams of fentanyl that he mixed at JACKSON's direction, drove to ADAMS's sale location at 423 Murray Street where, after telling JACKSON to let ADAMS know FULLER was ready to serve ADAMS ("*Tell Fat Boy come outside*"), FULLER arrived at 423 Murray Street and served ADAMS with the narcotics.

JACKSON warns COLLINS after police raid ADAMS

43. On **January 12, 2024**, at approximately **9:31 AM**, pole camera footage showed COLLINS arrive and enter 96 Angle Street to begin her shift selling drugs.

44. At approximately **9:36 AM**, RPD executed state search warrants at 423 Murray Street and ADAMS' residence at 656 Jefferson Avenue.³

45. At approximately **9:55 AM**, (approximately 20 minutes after the entry into ADAMS drug house at 423 Murray Street, an outgoing call to COLLINS CELL PHONE # 2 was intercepted on JACKSON CELL PHONE. During the call, JACKSON asked COLLINS, "*Yo, where you at?*" and COLLINS replied, "*I'm over here.*" JACKSON then

³ At the drug house at 423 Murray Street (where ADAMS was found), officers located 50.05 grams of cocaine and 7.96 grams of fentanyl (pre-lab weights) packaged for sale, paraphernalia for the processing and packaging of narcotics for sale, (to include multiple digital scales, glass beakers, a mixing spoon, a sifter, and packaging material), and \$1,554.00 in U.S. currency. At ADAMS's residence at 656 Jefferson Avenue, officers located crack cocaine packaged for sale, a loaded 9mm pistol, a rifle, additional paraphernalia for distributing narcotics, and \$4,607.00 in U.S. currency. On January 17, 2024 ADAMS was charged by Criminal Complaint 24-MJ-4010 in U.S. District Court for the Western District of New York with narcotics and firearms offenses.

stated, “*Aight. Make sure you got your eyes open ‘cause they just hit something down Murray.*”

COLLINS acknowledged, “*Ok.*”

46. Based on my training, experience, and knowledge of this investigation, I believe JACKSON called COLLINS to warn COLLINS while she was selling narcotics at the DTO’s drug house at 96 Angle Street to be on the look out for law enforcement activity because just minutes before the police executed a search warrant at the drug house at 423 Murray Street that is run by ADAMS, one of JACKSON’s customers who is a mid-level drug trafficker (“*Make sure you got your eyes open ‘cause they just hit something down Murray*”). COLLINS first confirmed she was at 96 Angle Street (“*I’m over here*”) and responded affirmatively to JACKSON’s warning (“*Ok*”). Pole camera footage showing COLLINS enter 96 Angle Street to begin her shift at approximately **9:31 AM** that morning.

JACKSON serves MOORE at 19 Angle Street

47. On **November 13, 2023**, at approximately **12:11 PM**, the following incoming from (585) 351-9798, used by Jason MOORE, a mid-level narcotics trafficker who is a customer of the DTO, was intercepted on JACKSON CELL PHONE (Ref # 2303):

TJ: Timothy Jackson

JM: Jason Moore

JM: Happening?

TJ: Cuzzo, what up wick you?

JM: Same shit man. Everything good?

TJ: Helll yeaah.

JM: Where you gonna be at?

TJ: I’m at the jump off right now.

JM: Alright. Ummm...I’m like 20 minute, half an hour.

TJ: Yeeap. I could do that.

JM: Aight.

TJ: Yeah.

48. At approximately **1:29 PM**, pole camera footage shows a 2011 blue Chevy Tahoe bearing NY license plate LCN7032 (hereinafter MOORE's TAHOE) surveillance has observed MOORE operate throughout the investigation parked in the roadway across from 19 Angle Street. JACKSON was at JACKSON's TAHOE and walked over to MOORE's TAHOE, then returned to JACKSON's TAHOE before entering the passenger seat of MOORE's TAHOE. At approximately **1:31 PM**, pole camera footage showed JACKSON exit MOORE's TAHOE, MOORE departs, and JACKSON appeared to place something in the rear driver's side of JACKSON's TAHOE.

49. Based on my training, experience, and knowledge of the investigation, I believe that MOORE contacted JACKSON to purchase cocaine from him. After they agreed to meet at 19 Angle Street ("*the jump off*"), MOORE drove to that location, where JACKSON served MOORE with the requested amount of cocaine.

50. On **November 24, 2023**, at approximately **9:26 AM**, an incoming call from , (585) 351-9798, used by MOORE, was intercepted on JACKSON CELL PHONE (Ref # 4298) in which MOORE asks, "*You have enough turkey...a couple turkeys*?" and JACKSON replies, "*You absolutely know I do.*" Based on my training, experience, knowledge of this investigation I believe MOORE is asking JACKSON if he has two, 62-gram quantities of cocaine available to sell MOORE and JACKSON replies with certainty that he is able to supply MOORE with the requested cocaine.

51. At approximately **10:21 AM**, pole camera footage shows JACKSON arrive at 86/88 Forester Street. At approximately **10:25 AM**, JACKSON enters the enclosed porch with a plastic bag in his left hand and a backpack on his back.

52. At approximately **11:47 AM**, the following outgoing call to MOORE CELL PHONE was intercepted on JACKSON CELL PHONE (Ref # 4317):

TJ: Timothy Jackson

JM: Jason Moore

AD: Amarilis Diaz

AD: (in background) No it's (unintelligible)

JM: Yup.

TJ: Yup.

JM: Reginald, what's going on?

TJ: Huh?

JM: Where you at?

TJ: Um, hold on. Let me, let me quick buy something. You, ah, what we talked about, that's what we doing?

JM: Hell yeah.

TJ: Alright, ah, um, finesse, finesse right?

JM: Say, say it again.

TJ: Finesse two times?

JM: Yep.

TJ: Yep, um (unintelligible)-

JM: Yes, sir.

TJ: I'll hit, I'll hit you up right when you see me in a couple minutes.

JM: Alright.

53. Based on my training, experience, knowledge of this investigation I believe JACKSON is confirming MOORE's order for the two bags of 62 grams of cocaine ("*Finesse two times?*") and MOORE confirms ("*Yep*"). JACKSON says he will deliver the cocaine to MOORE soon ("*I'll hit you up right when you see me in a couple minutes*").

54. At approximately **12:29 PM**, pole camera footage showed DIAZ exit the porch of 86/88 Forester Street and depart in a Suzuki. At approximately **12:35 PM**, **JACKSON** exits the porch of 86/88 Forester with the backpack he entered with and departs in JACKSON'S TAHOE.

55. At approximately **12:39 PM**, pole camera footage shows MOORE park in the street across from 19 Angle Street. At approximately **12:48 PM**, JACKSON arrives at 19

Angle in JACKSON's TAHOE and uses a key to enter 19 Angle Street (down). At approximately **12:56 PM**, pole camera footage shows JACKSON exit 19 Angle Street (down), go to JACKSON's TAHOE, then walk to and enter the passenger side of MOORE's TAHOE. At approximately **1:10 PM**, JACKSON exits MOORE's TAHOE, reaches inside the passenger side door of JACKSON's TAHOE, and MOORE leaves.

56. Based on my training, experience, and knowledge of this investigation, I believe, MOORE arrived at JACKSON's drug sale location at 19 Angle Street, where JACKSON provided it to MOORE after obtaining it from 88 Forester Street while DIAZ is present.

57. On **December 27, 2023**, at approximately **3:09 PM**, the GPS tracker on JACKSON's TAHOE showed that he was in the parking area of the Carter Rec center located at 500 Carter Street, Rochester, NY. At approximately **4:05 PM**, an incoming call from (585) 469-3713, utilized by MOORE, was intercepted on JACKSON CELL PHONE (Ref # 8997) in which MOORE told JACKSON, "*I'm outside cuzzo*" and JACKSON replied, "*Alright.*"

58. At approximately **4:29 PM**, RPD Investigator Marsherrall observed on a City of Rochester camera JACKSON meet with MOORE in the Carter Rec Center parking lot. The GPS tracker on JACKSON's TAHOE showed his vehicle depart at approximately **4:34 PM**. Based on my training, experience, and knowledge of this investigation I believe JACKSON resupplied MOORE with cocaine outside the Carter Rec Center.

59. On **January 13, 2024**, at approximately **11:59 AM**, the following outgoing call (585) 469-3713, utilized by MOORE, was intercepted on JACKSON CELL PHONE

(REF# 11599). At the time of the call, the GPS tracker on JACKSON's TAHOE shows JACKSON in the area of Bay Street and Harvest Street in the City of Rochester.

TJ: Timothy Jackson

JM: Jason Moore

JM: Yo.

TJ: Brody, you on, you ain't on bay, huh?

JM: Nah, I'm at the jump off.

TJ: Motherfucker!

JM: Need me to come over there?

TJ: Nah. I'm coming down there.

JM: Alright. I'm about to go, I'm about to go ahead actually.

TJ: Alright.

60. Based on my training, experience, and knowledge of this investigation, I believe JACKSON called MOORE to see if he was in the area where JACKSON was located so that JACKSON could supply MOORE with cocaine (*"Brody, you on, you ain't on bay, huh?"*). MOORE indicated he was at 19 Angle Street (*"Brody, you on, you ain't on bay, huh?"*) but asks if JACKSON wants MOORE to drive to that location (*"Need me to come over there?"*) and JACKSON declines and says he will meet MOORE at 19 Angle Street (*"Nah. I'm coming down there"*).

61. At approximately **12:01 PM**, pole camera surveillance shows JACKSON's TAHOE arrive at 86/88 Forester Street and JACKSON enter the front enclosed porch. At approximately **12:10 PM**, JACKSON exits the enclosed porch of 86/88 Forester and departs in JACKSON's TAHOE. At approximately **12:19 PM**, pole camera surveillance showed MOORE's TAHOE parked across the street from 19 Angle Street. At approximately **12:21 PM**, JACKSON's TAHOE arrives and parks in the auto shop parking lot next to 19 Angle Street. At approximately **12:23 PM**, JACKSON exits his vehicle and enters the front passenger seat of MOORE's TAHOE. At approximately **12:30 PM**,

JACKSON exits MOORE's TAHOE and returns to JACKSON's TAHOE, both depart.

Based on my training, experience, and knowledge of this investigation I believe JACKSON resupplied MOORE with a quantity of cocaine.⁴

62. See Paragraphs 218-232 for evidence of JACKSON supplying mid-level narcotics trafficker Donde LINDSAY.

Search Warrant

63. On **January 17, 2024**, a N.Y. state search warrant was executed at JACKSON's residence at 45 Willmont Street, Rochester, New York and JACKSON's TAHOE. Upon entry into 45 Willmnot Street, law enforcement encountered JACKSON and Melanie White in the master bedroom. Throughout the residence, officers observed paperwork and documents in JACKSON's name.

64. On the floor in the master bedroom closet, officers seized a Smith and Wesson, M & P 9 Shield, 9mm semi-automatic pistol bearing serial number HYZ8197, which was next to a magazine loaded with 7 rounds of 9mm ammunition.

65. On the landing leading to the second floor, officers seized \$23,251.00 in U.S. currency in a plastic storage drawer/container next to a money counter.

⁴ On **January 13, 2024**, law enforcement executed a N.Y. state narcotics search warrant at MOORE's residence at 218 Privet Way in the Town of Chili. MOORE was located inside with his girlfriend and two children. During the search of MOORE's residence, law enforcement broke open a locked safe in the entryway closet and found MOORE's passport along with over 110 grams of cocaine, paraphernalia for the processing, packaging and distribution of narcotics (to include new/unused baggies, a digital scale, and a bottle of Inositol, a cutting agent), two loaded 9mm semi-automatic pistols, and the title to MOORE's TAHOE. Officers also searched MOORE's TAHOE, and found inside MOORE's cell phone (585) 469-3713. On **January 17, 2024**, MOORE was charged by Criminal Complaint 24-MJ-4011 in U.S. District Court for the Western District of New York with narcotics and firearms offenses.

66. In the dining room, officers seized a set of keys from a City of Rochester employee coat. There were keys which operated JACKSON's TAHOE, JACKSON's FORD, and the door locks at 45 Willmont, 49 Angle Street and 19 Angle Street.

67. During the search of JACKSON's TAHOE, officers located a large package containing hundreds of new/unused purple cone-shaped capsules ("pop tops") that this organization packages for sale \$5 rocks of crack cocaine.⁵

68. See Paragraphs 75-76, 84-86, 95-98, 111, 120-121, 129-130, 144-145, 147, 185-193, 200-210, and 218-232 for additional evidence of JACKSON's involvement in this narcotics conspiracy.

GARY FULLER

69. GARY FULLER (hereinafter FULLER) is a 28 year-old male black with one prior violent felony conviction. In 2011, FULLER was convicted of Robbery in the First Degree (Displaying what appeared to be a Firearm), a class B violent felony, and was sentenced to 1 to 3 years of imprisonment. Based upon physical surveillance and video surveillance observations, FULLER is believed to reside at 88 Forester Street, Rochester, New York and drive Chevrolet rental bearing New York license plate KAS4457 (hereinafter FULLER CHEVY) and previously Chevrolet Suburban bearing New York license plate LDX6110 (hereinafter FULLER SUBURBAN). FULLER is a supervisor for the DTO and supplies the narcotics distribution locations.

⁵ The identical purple capsules were seized during the take-down search warrants at locations utilized by this DTO, including 96 Angle Street (500 purple capsules containing cocaine), 88 Forester Street (approximately 200 hundred purples capsules containing cocaine and approximately 200 new/unused purple capsules), and 245 Saratoga Avenue (COLLINS's residence) (500 new/unused capsules and 15 capsules with cocaine). See Paragraphs 101, 103, 124, and 180.

Intercepted Phone Communications Involving FULLER

70. On **November 8, 2023**, at approximately **4:05 PM**, the following incoming call from (518) 255-9377, used by an unidentified female narcotics customer, was intercepted on COLLINS CELL PHONE # 1 (Ref # 2033):

FC: Felicia Collins

UF: Unknown Female

UF: Hello?

FC: Oh.

UF: You got 200?

FC: Yup.

UF: I will be there in a few.

FC: Ok.

UF: Goodbye.

71. Based on my training, experience, and knowledge of this investigation, I believe that the unidentified female is a drug customer asking COLLINS if she has \$200 worth of cocaine available to sell and, after COLLINS confirms she has the cocaine available, the unidentified female indicates she will arrive at 49 Angle Street shortly.

72. At approximately **4:10 PM**, an RPD patrol vehicle conducted a traffic stop of a silver 2001 Chrysler Concorde sedan in the area of 49 Angle Street. Pole camera footage showed the silver sedan pulled over across from 49 Angle Street. The officer briefly spoke to the driver and then the patrol car and silver sedan departed separately.

73. At approximately **4:13 PM**, the following incoming call from COLLINS CELL PHONE # 1 was intercepted on FULLER CELL PHONE (Ref # 920):

FC: Felicia Collins

GF: Gary Fuller

FC: Oh, the police are hater. That was our, that was our lick.

GF: Oh, that was one of our licks, in the silver car?

FC: She just called me. I, I hope they come back around. I was just about to, I was calling you to ask you how you wanted me to give it to her. She coming back for another 200.

GF: Oh.

FC: That was her.

74. At approximately **4:14 PM**, the following incoming call from COLLINS CELL PHONE #1 was intercepted on FULLER CELL PHONE (Ref # 921):

GF: Gary Fuller

FC: Felicia Collins

GF: Yeah yo, you hear me? Sell her the last...oh wait we sell her last W, we ain't gonna have nothing left?

FC: That's, I asked do you want me to give it to her in grams or...?

GF: Fuck, sell, okay, listen. Sell her the, open the door for me real quick. I'm right here, open the door, open the door.

75. At approximately **4:15 PM**, pole camera footage showed the same silver sedan that had been pulled over earlier by RPD drive up again and park across the street from 49 Angle Street. The footage also showed FULLER walk up to the door and enter 49 Angle Street. At approximately **4:19 PM**, JACKSON arrived at 49 Angle Street in JACKSON's FORD and entered with a couple of bags.

76. Based on my training, experience, and knowledge of this investigation, COLLINS was telling FULLER that the police had just pulled over one of their drug customers ("*that was our lick*") who was coming to 49 Angle Street to purchase \$200 worth of cocaine ("*She coming back for another 200*") and asking FULLER whether he wanted COLLINS to serve the customer in bulk or in multiple bags ("*I was calling you to ask you how you wanted me to give it to her*"). COLLINS and discuss the fact that selling the \$200 worth cocaine in bulk would mean they have no more cocaine to sell in small bags to sell to other customers ("*GF:...Sell her the last...oh wait we sell her last W, we ain't gonna have nothing left? FC: That's, I asked do you want me to give it to her in grams or...?*"). Instead of explaining over the phone to COLLINS how he wanted her to sell it, FULLER came over to 49 Angle Street to talk to

COLLINS in person. At the same time, the customer returned to Angle Street to obtain the cocaine. A few minutes later, JACKSON arrived and entered 49 Angle Street to re-supply the drug sale location so they would be able to continue to sell drugs to customers.

77. On **November 18, 2023**, at approximately **2:35 PM**, the following outgoing call to COLLINS CELL PHONE #2 was intercepted on FULLER CELL PHONE (Ref # 1506):

GF: Gary Fuller

FC: Felicia Collins

GF: What's the count?

FC: A, lemme count it. Want me to text you it or you gonna hold on?

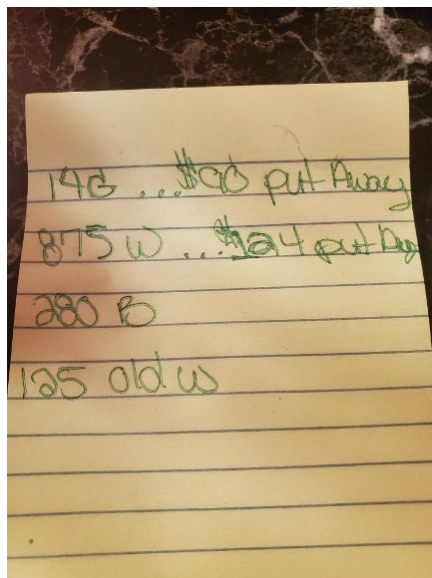
GF: Naw, just text me how much W, B.

FC: Ok.

GF: And G's left and shit...alright.

78. Based on my training, experience, and knowledge of this investigation, FULLER was asking COLLINS to report how much cocaine (“W”), fentanyl (“B”) have been sold and how many grams (“G”) remain unsold.

79. At approximately **2:47 PM**, the following incoming text from COLLINS CELL PHONE # 1 was intercepted on FULLER CELL PHONE (Ref # 11):



80. Based on my training, experience, and knowledge of this investigation, I believe COLLINS is notifying FULLER that they have 14 grams (bulk cocaine) (“G”) left, 875 bags of cocaine (“W”) left, 280 bags of fentanyl (“B”) left, and 125 bags of old cocaine (“Old W”) left. There are also quantities of cash referenced although it is unclear what the dollar values denote.

81. On **January 1, 2024**, at approximately **2:29 PM**, an outgoing call from COLLINS CELL PHONE # 3 was intercepted on FULLER CELL PHONE (Ref # 5085). FULLER initially talks to COLLINS regarding KP, then FULLER directs his questioning at KP. Excerpts from the transcript are set forth below:

GF: Gary Fuller

FC: Felicia Collins

KP: KP a/k/a KD

FC: You have money on Cashapp?

GF: Nah, why what up?

FC: KD tryin' to go home.

GF: The fuck that got to do with me?

FC: He need money on Cashapp.

FC: Six, seven.

GF: How much?

FC: 6.7

GF: *That's all he got left?*

FC: *Mhm. That's with the bag.*

GF: *Oh my God. He fucking the bag up!*

FC: *(to KP) It's, a G. You only did a G?*

KP: *(to FC) Mhm.*

GF: *And how much he bagged up?*

FC: *Wait. I'm gonna put it in a different way.*

GF: *Oh my gosh man. Yo, this nigga.*

FC: *(to KP) Oh, how much the bag weigh?*

GF: *Oh, p, p, point fucking four. So it's like five G's left.*

FC: *It's saying 6.6, but -*

GF: *It's like 5.2 left. Oh my God. And all he got was a G?"*

FC: *Yeah.*

FC: *(to KP) It's too much.*

GF: *He's fucking up man! That's literally, he, oh really. This nigga fucking up man. That shit's like a G short.*

FC: *What, what's, what's gonna come off of this?*

GF: *It's fucking \$500, \$600!*

KP: *(to FC) Shit, 500 off of one -*

FC: *(to KP) Yeah, five or six.*

GF: *You fucking up man, you fucking up cuz man! I gave you 20 grams bro. So that means off 14 grams nigga, 13, 14 grams you only got a G. That is totally wrong bro. Come on cuz man, you fucking my money up bro. Like, come on man. Oh man. Shhh. Yo, that shit short once again, man. That shit short, brody. Once again. Shit is off \$900 bro.*

FC: *Yeah, he hear you.*

GF: *(to KP) What the fuck bro? I, God damn! Come on, cuz! You fucking up bro big time man!*

GF: *(to FC) This nigga 'bout to. I'm about to take that job away from his ass man!*

82. Pole camera footage showed COLLINS enter 96 Angle Street at approximately **1:58 PM** and she does not leave prior to the call.

83. Based on my training, experience, and knowledge of this investigation, FULLER and COLLINS are discussing the amount of cocaine KP has left, how he did not make enough money after FULLER gave him 20 grams of narcotics to bag and sell ("*I gave you 20 grams bro*"), and making only about \$1,000, which is about \$900 less than he should have made ("*Shit is off \$900 bro*"). FULLER demonstrates his position of authority over KP, chastising him for his incompetence ("*He's fucking up man! That's literally, he, oh really. This*

nigga fucking up man... You fucking up man, you fucking up cuz man!... What the fuck bro? I, God damn! Come on, cuz! You fucking up bro big time man!") and openly considering terminating his employment as a drug seller for the DTO (*"I'm about to take that job away from his ass man!"*).

84. On **January 4, 2024**, at approximately **3:08 PM**, an incoming call from COLLINS CELL PHONE #2 was intercepted on FULLER CELL PHONE (Ref # 5373) in which FULLER, COLLINS, and JACKSON discuss the whereabouts of a shotgun. Pole camera footage reflected that at the time of this call, FULLER was at his residence at 86/88 Forester Street and COLLINS and JACKSON were at 49 Angle Street.

GF: Gary Fuller

FC: Felicia Collins

TJ: Timothy Jackson

GF: Yo, yo, yo.

FC: Um, cuzzo, the, the thing we had over there in the (call cuts out) You know where it is?

GF: Uhmhum.

FC: Do you know where it is?

GF: Where what?

FC: What we had in the ceiling.

GF: What we had in the what?

FC: The, what KD had got stuck in the attic. The

GF: What he-

FC: The full (unintelligible)

GF: That should, that cuzzo dropped off over there?

FC: Yeah.

GF: That's-

FC: (overlapping) -in the-

GF: Oh, that's at the white house.

FC: A'right.

GF: Always been there.

FC: He said where?

GF: In the same spot it's always been.

FC: (To TJ) Yeah, he said the same spot.

TJ: (unintelligible)

FC: Yeah.

GF: It's always been down there.

FC: Like. I wanna say it was, like, by where that couch at, that first couch.

TJ: Let me (unintelligible)

GF: Behind the stove.

FC: Behind uh, no.

GF: You talk-

FC: (overlapping) No, the, the big, the long one.

GF: The long? Oh, wait, wait, wait. The long one?

TJ: (in background) Gauge.

FC: You said gauge?

GF: (overlapping) What eh, what long one?

FC: Gauge.

GF: Yeah, but, wha, ask him where was it at?

FC: It was, it was over there.

GF: Not the gauge.

FC: And ya'll, where ya'll moved it to?

GF: We ain't never had a gauge there.

FC: Yes, we did. We had moved it from here cause- (cuts out). It was lined up around here when we first was here we took it over there. They took it over there, put it on a couch.

GF: Wha, ah, wait, hold on, I'm tryin' to, right, hold on, hold on, I'm tryin' to think, fuck, fuck, where we get it from?

FC: Um, said it was ya'll's. The, the, they 'on't know how to stay here.

GF: Lemme, ask, ask...

FC: We had, 'member we used to keep it by the door over here? You told me, "Don't open the door without it."

GF: Right, but I'm tryin' to think where we get that one from. Fuck, I'm tryin', right, right, right.

FC: (unintelligible and initially overlapping) 'cause somebody, when we was back up there, ya'll said everything was out of there, so...

GF: Ask him, he not talkin' bout the one I got, right?

FC: (to TJ) The one, he said the one he got?

TJ: (in background) He got it over there? Yeah, he got, he, yeah. I brought it over there (unintelligible) time.

GF: From-

FC: Yeah.

GF: From upstairs?

FC: Yeah.

GF: A'right, tell him I got that one, I got it then.

FC: A'right.

GF: If he talkin' 'bout that one.

FC: Yeah, ok.

TJ: (in background) Yeah, I brought it to him, I said (unintelligible)

GF: A'right.

FC: Ok.

GF: Yeah, ok, a'ight, a'ight.

TJ: Ask me (unintelligible)

GF: A'ight.

85. At approximately **3:12 PM** (less than a minute after the above call ended), an incoming call from COLLINS CELL PHONE #2 was intercepted on FULLER CELL PHONE (Ref # 5374). A portion of the call is transcribed below.

GF: Gary Fuller

FC: Felicia Collins

GF: Yo.

FC: He said make sure it got food.

GF: Oh shit. Alright, one second. Let me check. I'm comin'. (indistinct)

FC: (indistinct) He said-he said all of 'em. Including all of them now.

GF: Alright, let me check...

86. Based on my training, experience, and knowledge of the investigation COLLINS, JACKSON and FULLER are describing the multiple firearms used by this DTO at their drug locations. COLLINS (who is with JACKSON) calls to ask FULLER where the shotgun (“Gauge”) is but FULLER appears to be thinking about a different firearm, referencing different hiding places (“Behind the stove”) and stating that it is at 49 Angle Street (“the white house”).⁶ FULLER eventually realizes that COLLINS is referring to the shotgun (“Oh, wait, wait, wait. The long one?”). After JACKSON says he brought the shotgun to 86/88 Forester Street (“I brought it over there”), FULLER asks if it is the shotgun JACKSON had brought to 88 Forester Street, the upstairs unit where DIAZ processes and packages narcotics for the DTO (“From upstairs?”) and indicates that, if so, then FULLER has the shotgun at 86 Forester Street (“A’right, tell him I got that one, I got it then... If he talkin’ ‘bout that one”).⁷ During the call, COLLINS also describes how she was instructed to use the firearm for protection in

⁶ During intercepted conversations, members of the DTO commonly used “white house” as code for 49 Angle Street and “green house” for 69 Angle Street, and “jump off” for 19 Angle Street.

⁷ See Paragraphs 87-91 describing the items seized during the search of FULLER’s residence at 86 Forester Street on January 17, 2024, which resulted in the seizure of, among other things, multiple firearms, including a 12 gauge shotgun.

connection with the drug sales (“*member we used to keep it by the door over here? You told me, “Don't open the door without it.”*”). A few minutes later, COLLINS calls FULLER back to tell FULLER that JACKSON wants FULLER to check all of the firearms to make sure they have ammunition (“*He said make sure it got food...he said all of ‘em... Including all of them now*”) and FULLER agrees to do so (“*Alright...Let me check...let me check*”).

Search Warrants

87. On **January 17, 2024**, a N.Y. state search warrant was executed at 86 Forester Street, Rochester, NY. Upon entry, law enforcement encountered FULLER and Kimberly Mendoza in the master bedroom, which is located at the rear of the house. Throughout the residence, officers observed paperwork and documents in FULLER’s name. During the execution of the search warrant, FULLER remarked to law enforcement, in sum in substance, you’re lucky you got to the gun before I did; otherwise, I would have shot you.

88. In the master bedroom (where FULLER was located), officers seized:

- one (1) bag containing approximately 9.08 grams of cocaine, \$1,686.00 inside the nightstand;
- one (1) wallet containing FULLER’s ID, \$90.00 in U.S. currency, and two (2) iPhones (one of which was FULLER CELL PHONE) on top of the nightstand; and
- one (1) Privately Made Firearm (PMF), semi-automatic rifle bearing no serial number, loaded with a 30-round magazine containing a mix of 26 rounds of .223 and 5.56 ammunition in the magazine under the bed.

89. In the living room on a table, officers seized a set of keys which operated FULLER’s Chevy, FULLER’s Acura, and the locks at 86 Forester Street and 49 Angle Street.

90. In the front room of the apartment, officers seized:

- one (1) loaded, Radikal, P3 12 gauge shotgun bearing serial number 21-P02135 loaded with ammunition;
- one (1) mixing bowl with white residue in it; and
- one (1) Rolex watch and an appraisal stating it to be worth \$12,450.00.

91. In the basement rafters, officers seized the following:

- 800 small bags of cocaine (packaged in eight (8) sandwich bags each containing 100 small bags);
- 34 bags larger bags (weighing approximately 1 gram) of cocaine;
- one (1) bag containing approximately 26.33 grams (pre-lab weight) of fentanyl;
- one (1) bag containing approximately 41.5 grams (pre-lab weight) of fentanyl;
- one (1) bundle containing approximately 3.05 grams of fentanyl;
- paraphernalia for the processing, packaging, and distribution of narcotics, including new/unused bags, a scale, and a razor blade;
- \$3,906.00 in U.S. currency;
- one (1) Taurus 9mm pistol receiver bearing serial number TGS87587; and
- one (1) Smith and Wesson .40 caliber pistol receiver bearing serial number DYA1790.

92. After being advised of and waiving her Miranda rights, Mendoza was interviewed by RPD investigators. Among other things, Mendoza stated, in sum and substance, that she and FULLER have lived at 86 Forester Street since July 2023.

93. See Paragraphs 17-18, 20, 24-26, 30-31, 38-42, 95-99, 111-117, 135-152, and 166-175 for additional evidence of FULLER's involvement in this narcotics conspiracy.

AMARILIS DIAZ a/k/a “Amy”

94. AMARILIS DIAZ a/k/a “Amy” is a 31 year-old white female with no criminal conviction. DIAZ resides above FULLER in 88 Forester Street (the upstairs apartment of 86/88), Rochester, New York. DIAZ processes and packages narcotics for the organization at her residence at 88 Forester Street.

Intercepted Phone Conversations Involving DIAZ

95. On **December 8, 2023**, at approximately **5:32 PM**, an incoming call (which lasts for nearly 15 minutes) from JACKSON CELL PHONE was intercepted on FULLER CELL PHONE (Ref # 2629). At the time of this call, pole camera footage showed that FULLER was at 86/88 Forester Street. Three excerpts from the call are set forth below and explained individually.

Excerpt 1

GF: Gary Fuller

TJ: Timothy Jackson

GF: Yo.

TJ: Yo.

GF: What's up, cuz?

TJ: You still over there?

GF: Yeah, hell yeah.

TJ: Yo, upstairs grab the, um, joints up...

GF: Alright, alright, huh...

TJ: From upstairs, grab, grab the um, shit on top of the, ahhh, on top of the, on top of the joint. Take them to Keisha.

GF: It's for the green house, right?

TJ: Yeah, but it's something for her though, too.

GF: Oh, you said it's on top of the fridge?

TJ: Nah, but if you go, like, you going to the fridge and bust a right. Right there at the end, it's on top, on top of the top right there, on top of the top top top, when you go on the top top top.

Where the stove at, right there you'll find it.

GF: Alright.

TJ: You just gotta get up there and look, 'cause, they ain't in, they ain't in nothin.' They loose. Two of them up there.

GF: Cuzzo.

TJ: Tell cuzzo she about to get fired, man. Cuzzo up they're bullshittin'. Fired mother fucker, they're bullshittin' up there, straight bullshit.

GF: Alright (inaudible)

TJ: Go to joint, go to the last place you can go to...(inaudible)

GF: Alright.

TJ: There's a little cooler right there, so you can stand on that shit.

GF: Oh, ya ya ya yup, (inaudible) my ass (inaudible)

TJ: (inaudible) that shit work perfectly fine with me.

GF: You skinnier than me, nigga.

TJ: That's what I'm trying to tell you, man.

GF: (inaudible) grab both of them.

TJ: Huh, yeah just grab both of them. They'll need some. She got more in there. You can grab some of them red ones. There's some red ones in there. Tell her to give you a bag.

GF: Alright (speaking to AD), can I get a bag (inaudible)

TJ: She bullshittin'. We get, we got other people. We got other people on the job, man. I got other people, man. You hire her, I hire other...

GF: (to someone else in background) Thank you.

GF: (to TJ) Nah, she, she, she got us ahead of the game, cuz.

96. Based on my training, experience, and knowledge of this investigation, I believe that in Excerpt 1, JACKSON is telling FULLER to go upstairs to 88 Forester, which is the upstairs unit of 86/88 Forester, and get crack cocaine that DIAZ had cooked, and some of the red capsules that she had prepared, and that he needs to bring them to COLLINS, some being for COLLINS to sell and others being for sale at 69 Angle Street (*"From upstairs, grab, grab the um, shit on top of the, ahhh, on top of the, on top of the joint. Take them to Keisha...GF: It's for the green house, right? TJ: Yeah, but it's something for her though, too"*). JACKSON explains where FULLER can find the cocaine within 88 Forester Street (*"if you go, like, you going to the fridge and bust a right. Right there at the end, it's on top, on top of the top right there, on top of the top top top, when you go on the top top top. Where the stove at, right there you'll find it... There's a little cooler right there, so you can stand on that"*). JACKSON tells FULLER to have DIAZ give him some of the red capsules of crack cocaine that DIAZ had packaged for sale (*"You can grab some of them red ones. There's some red ones in there. Tell her to give you a bag"*).

Excerpt 2

TJ: Tell her, fire her, man. Hey, I paid her already too.
GF: Wait, wait, wait.
TJ: Ask her. I paid her already. She got a filthy ass dog. Little ugly ass dog running around up there. I paid her already for that one.
GF: You funny as hell, cuz.
TJ: You owe me 200 nigga, you nigga.
GF: Who cuz? How what happened?
TJ: You was supposed to pay her man.
GF: Pay who? Huh?
TJ: You was supposed to pay Amy, I paid her already.
GF: She just got one done. I just gave her \$100, cuzzo.
TJ: No, then she aint supposed to got that \$100. I already paid her.
GF: So she been gave you something.
TJ: No, but I gave her the money up front, because I bought the dog for her.
GF: Oh I didn't know nothin' about that cuzzo.
TJ: Wait, wait, wait. Where she at?
GF: She upstairs. She said you ain't pay her though. She said the dog ain't no...(laughing) Yo (laughing)
TJ: See where my money at then.
GF: That bitch. She owe you that, cuz. That ain't on me.
TJ: Nah she, she (inaudible) us.
GF: She, listen. She got, she did one for me, right? So I gave you a buck, so I gave her a 100, 'cause she got the one done.
TJ: I know, but that shit is a two-part play. She was supposed to did it all and get the 200.
GF: Ya gave her the 100 and she got one done. That's all, though.
TJ: So where my, no no no no wait wait wait. Where the fuck is my 2?
GF: I didn't know you gave her nothin' though, cuz. I didn't know that. I didn't know that part, so...
TJ: (making another phone call) why she ain't answering the phone-

97. In Excerpt 2, JACKSON and FULLER discuss hiring employees and payments made to Amy for cooking crack cocaine inside 88 Forester Street, realizing that they have both paid her, and for more work than she has done. I believe Amy gets paid \$100 per 62-gram cookie (“cake”) (also referred to as a “plate’s” worth) of crack cocaine that she packages. At the end of Excerpt 2, JACKSON appears angry about payment made to Amy for her work, and the fact that she owes him \$200 for a puppy he sold her, calls DIAZ on another phone and that conversation is captured on the intercepted call over FULLER CELL

PHONE. Those portions of the call are contained below in Excerpt 3 with ellipses designating omitted portions of the call that are repetitive.

Excerpt 3 [conversation begins between JACKSON and DIAZ overheard on another phone approximately 5:40 into the intercepted call]

GF: Gary Fuller

TJ: Timothy Jackson

AD: Amarilis Diaz

AD: Hello.

TJ: Yo, how you gonna take my 200 then take another 100? Where my money at?

AD: I ain't take nothing (inaudible)

TJ: So where's my money? Where's my money at for the dog? I told you that was 200 and I was gonna figure it out with Cuz. How you gonna, you took another \$100 from him. Where my 200...?

AD: Remember you took the plate? That was 200?

TJ: You got the plate that was 200? What the hell you talkin' about?

AD: No, you gave me 2 (inaudible)

TJ: That still 200, One is 200, the other one is 200. What are you talking about?

AD: All together I gave you \$400, right? 400 altogether. For when you took that plate, I thought you took the 200 for the dog while taking that plate, and then left me with the other...

TJ: If I took the plate, if I took, even if I did take it, you didn't do shit to earn it. So even if I did take it, what that have anything to do with you if I took it? It doesn't matter if I took it or not.

AD: Ok, yeah, I figured he was gonna give me the other 1 (inaudible)

TJ: If he wouldn't have gave you, I already paid you. That's what I'm saying. He gave you that for nothing. I already gave you the – you gonna give me my 2 for that dog. Then you gonna get paid regularly. How is it gonna go?

AD: Yeah. I'll do that, or I can give you the 100 he gave me. Either one, however, you wanna do it, I just...

TJ: Ain't no 100. You gotta give me 200. He gotta give you 200.

AD: (inaudible) He only gave 100 less.

TJ: I understand that. I told him don't give you shit till you get done. He gave you the 100 just on the (inaudible)

AD: Alright, well I'll give you the 200 tomorrow. I'll just take it out of my bank account and I'll give it to you or when do you want it?

TJ: Man, we gonna figure it out. But nigga, don't be fuckin playin with my money nigga!

AD: I would never play. I don't do shit like that. I don't know who you think I am, but I don't do shit like that

TJ: Nigga, you just, you is, nigga you just, you know I already, so why you took anything from him if you know I al- (inaudible)?

AD: No, I was under the impression that when you took the other cake, that was 200.

TJ: How does that have anything to do with you? You didn't do nothing.

AD: So I'll give you the 200. I don't want you thinking I'm being shiesty.

TJ: I mean, you gonna work for the shit. He gonna give it to you anyway. I'm just sayin', if you taking money you didn't work for nigga... You I already gave you...

AD: (inaudible) money, I just thought the 200 you took off the plate was the 200 for the dog. I just miscalculated, it wasn't supposed to be...

TJ: I already gave you the 200. You take another 100. You only did, you only did \$200 dollars worth of work. How the fuck you get \$300? (inaudible) another 100 you supposed to say, "Cuzzo already paid me"

TJ: Alright man, alright, alright, alright, alright, alright, alright! Get the fuck outta here! Stop playing with me. (aside: Where y'all going?)

End of conversation with DIAZ

GF: Yo.

TJ: Cuzzo, I punch her in her face man...

98. During Excerpt 3, JACKSON chastises DIAZ for taking money when she had not earned it by processing/packaging enough cocaine (*"If I took the plate, if I took, even if I did take it, you didn't do shit to earn it. So even if I did take it, what that have anything to do with you if I took it? ...How does that have anything to do with you? You didn't do nothing... You only did, you only did \$200 dollars worth of work. How the fuck you get \$300?"*). JACKSON also explains that she will get paid on a regular basis for her work (*"Then you gonna get paid regularly."*). DIAZ denies doing anything untoward and offers to pay JACKSON the money back so he does not think she is a cheat (*"So I'll give you the 200. I don't want you thinking I'm being shiesty"*).

99. At approximately **8:34 PM**, FULLER departs in FULLER's CHEVY, and arrives at 49 Angle Street at approximately **8:43 PM**. At approximately **8:55 PM**, FULLER exits 49 Angle Street and departs in FULLER's CHEVY.

Search Warrant

100. On **January 17, 2024**, a N.Y. state search warrant was executed at 88 Forester Street, Rochester, NY at approximately 6:00 AM. Upon entry, law enforcement encountered DIAZ alone with a small dog.

101. In the front room, that appeared to be staged for cutting up and packaging narcotics, officers seized the following, all of which was in plain view:

- one (1) plate, razor blade, digital scale, and a chunk of suspected crack cocaine on the table;
- three (3) plates, a razor blade, and multiple chunks of suspected crack cocaine on top of the bookshelf; and
- one (1) Hennessey box that had approximately 200 purple plastic capsules containing suspected crack cocaine on a side table.

102. In the dining room, officers seized a wallet and the identification of DIAZ.

103. In the kitchen, officers seized:

- one (1) plastic bag that contained one (1) brown suspected crack cookie, one (1) plastic bag containing suspected amphetamine, and one (1) plastic bag containing suspected cocaine under the kitchen sink;
- one (1) large scale on top of the kitchen cabinet;
- one (1) plastic bag containing an unknown white substance, a glass beaker containing a white powdery substance, and a plastic bag containing approximately 100 red, green and purple plastic capsules filled with suspected crack cocaine were located on top of the kitchen cabinet;
- one (1) digital scale, and numerous new/unused bags were in a kitchen drawer; and
- one (1) cooler containing numerous glass beakers, sifters, and a bottle of mannitol in a lower kitchen cabinet next to the stove.⁸

⁸ In an intercepted call between JACKSON and FULLER on December 8, 2023, JACKSON explains to FULLER how to find the capsules of cocaine at 88 Forester Street, including suggesting he step on the “cooler” if he needs helping looking on top of the cabinet for them. See Paragraph 95.

104. On the stairs leading to the attic, officers seized two (2) ballistic vests.

105. In the center bedroom, officers seized an iPhone in a purple case on the bed, and 1 round of 9mm ammunition located in a safe below the bed.

106. The total weight (pre-lab) of narcotics seized from this location was:

- 696 grams of suspected cocaine; and
- 37.3 grams of suspected amphetamine.

107. After being advised of and waiving her Miranda rights, DIAZ stated, in sum and substance, that she is the only person that stays in 88 Forester, and then requested an attorney.

108. See Paragraphs 24, 26, 52, 54, and 56 for additional evidence of DIAZ's involvement in this narcotics conspiracy.

FELICIA COLLINS

109. FELICIA COLLINS is a 41 year-old female black with no prior felony convictions. COLLINS resides at 245 Saratoga Avenue, Rochester, New York. COLLINS supervises the drug sale locations on Angle Street. The specific houses on Angle Street have changed at various times throughout the investigation, including 49, 69, and 96 Angle Street.⁹ COLLINS arrives on a daily basis between 9:00 AM and 9:30 AM (sometimes after being driven by JACKSON or FULLER) and leaves between 9:00 PM and 10:00 PM. COLLINS participates in drug sales to customers, manages employees, including KP, and advises

⁹ For example, see Paragraphs 19-23 describing the DTO's shift of the drug sale location from 49 Angle Street to 96 Angle Street.

JACKSON and/or FULLER about the money the houses are making and when they need to be resupplied with more cocaine.

Undercover Narcotics Purchase of Cocaine from COLLINS at 49 Angle Street

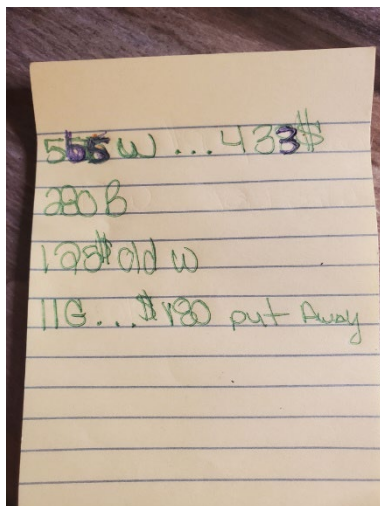
110. On **November 22, 2023**, at approximately 10:28 AM, RPD Investigator Post, acting in an undercover capacity, conducted a controlled purchase of crack cocaine at the rear window of 49 Angle Street while being digitally monitored with both video and audio by members of the Surveillance and Electronics Support Unit (SESU). RPD Investigator Thomas Minurka, who was monitoring the audio and video during the undercover purchase, immediately recognized the female voice communicating with Investigator Post through the window as belonging to COLLINS. After providing the suspected crack cocaine to Investigator Post in exchange for \$20.00 of official RPD funds, COLLINS instructed Investigator Post to leave the yard towards the parking lot of 444 Lyell Avenue (south) to avoid the people next door. Investigator Post followed her instructions. Investigator Springer field-tested the suspected crack cocaine purchased by Investigator Post and received a positive result for the presence of cocaine.

Intercepted Phone Communications Involving COLLINS

111. During the course of the wiretap, COLLINS notified JACKSON and/or FULLER of the status of the drug sales at 49 Angle Street, 69 Angle Street, and 96 Angle Street by texting messages or photographs of handwritten notes. Based on my training, experience, and knowledge of this investigation, these messages and handwritten notes are drug ledgers identifying the quantities of grams of cocaine (“G”), \$5 bags of cocaine (“W”) and \$5 bags of fentanyl (“B”) left, as well as amounts of money made on prior sales that has

been set aside. These text messages were sent on a daily basis, often around 9:00 PM, but also at other times throughout the day. Examples of these photographs from COLLINS to FULLER are below.¹⁰

112. On **November 18, 2023**, at approximately **9:02 PM**, the following incoming text from COLLINS CELL PHONE #2 was intercepted on FULLER CELL PHONE (Ref # 12):



113. On **November 19, 2023**, at approximately **9:45 PM**, the following incoming text from COLLINS CELL PHONE #2 was intercepted on and FULLER CELL PHONE (Ref # 13):

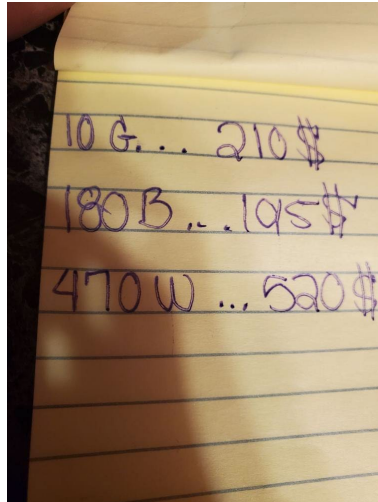
¹⁰ See also Paragraphs 17-18, 77, 171-174 in which workers are directed to notify JACKSON and/or FULLER of the “counts” of the sales at the drug locations on Angle Street.

NOV 19th 9:41 pm
 688 W. 360 \$
 125 B. 155 \$
 10 G... 210 \$
 130[#] old w
 -5 Keisha
 -5 Kuzze

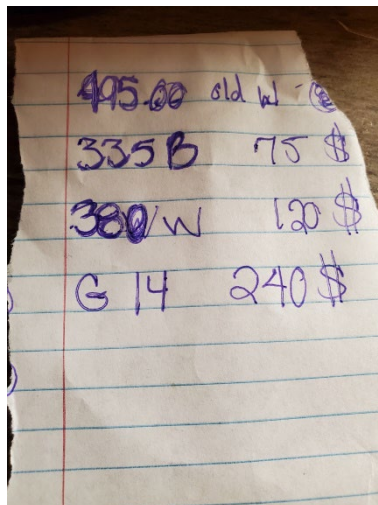
114. On **November 20, 2023**, at approximately **8:41 PM**, the following incoming text from COLLINS CELL PHONE #2 was intercepted on FULLER CELL PHONE (Ref # 14):

215 B
 1500 W
 2 G
 611
 750 B
 1235 W... 259 \$
 360 B... \$5.00
 No G... \$160.00
 8:40 pm Nov 20th

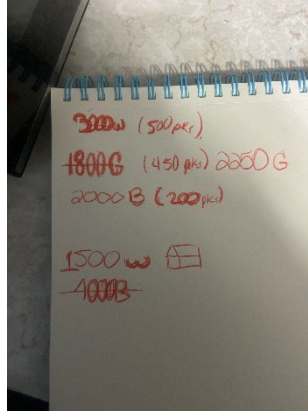
115. On **November 21, 2023**, at approximately **8:58 PM**, the following incoming text from COLLINS CELL PHONE #2 was intercepted on FULLER CELL PHONE (Ref # 15):



116. On **November 22, 2023**, at approximately **9:59 PM**, the following incoming text from COLLINS CELL PHONE #2 was intercepted on FULLER CELL PHONE (Ref # 17):



117. On **December 21, 2023**, at approximately **11:37 AM**, the following incoming text from COLLINS CELL PHONE #2 was intercepted on FULLER CELL PHONE (Ref # 54):



JACKSON warns COLLINS after police raid ADAMS

118. On **January 12, 2024**, at approximately **9:31 AM**, pole camera footage showed COLLINS arrive and enter 96 Angle Street for her shift selling drugs.

119. At approximately **9:36 AM**, RPD executed state search warrants at 423 Murray Street, a drug distribution house run by ELIJAH ADAMS, a mid-level drug trafficker who is a customer of the DTO). RPD also searched ADAMS' residence at 656 Jefferson Avenue.¹¹

120. At approximately **9:55 AM**, (approximately 20 minutes after the entry into ADAMS drug house at 423 Murray Street, an outgoing call to COLLINS CELL PHONE # 2 was intercepted on JACKSON CELL PHONE. During the call, JACKSON asked COLLINS, "*Yo, where you at?*" and COLLINS replied, "*I'm over here.*" JACKSON then stated, "*Aight. Make sure you got your eyes open 'cause they just hit something down Murray.*" COLLINS acknowledged, "*Ok.*"

¹¹ At the drug house at 423 Murray Street (where ADAMS was found), officers located 50.05 grams of cocaine and 7.96 grams of fentanyl (pre-lab weights) packaged for sale, paraphernalia for the processing and packaging of narcotics for sale, (to include multiple digital scales, glass beakers, a mixing spoon, a sifter, and packaging material), and \$1,554.00 in U.S. currency. At ADAMS's residence at 656 Jefferson Avenue, officers located crack cocaine packaged for sale, a loaded 9mm pistol, a rifle, additional paraphernalia for distributing narcotics \$4,607.00 in U.S. currency. On January 17, 2024 ADAMS was charged by Criminal Complaint 24-MJ-4010 in U.S. District Court for the Western District of New York with narcotics and firearms offenses.

121. Based on my training, experience, and knowledge of this investigation, I believe JACKSON called COLLINS to warn COLLINS while she was at the drug house at 96 Angle Street to be on the look out for law enforcement activity because just minutes before the police executed a search warrant at the drug house at 423 Murray Street that is run by ADAMS, one of JACKSON's customers who is a mid-level drug trafficker (*"Make sure you got your eyes open 'cause they just hit something down Murray"*). COLLINS first confirmed she was at 96 Angle Street (*"I'm over here"*) and responded affirmatively to JACKSON's warning (*"Ok"*). Pole camera footage showing COLLINS enter 96 Angle Street to begin her shift at approximately **9:31 AM** that morning.

Search Warrants

122. On **January 17, 2024**, a N.Y. state search warrant was executed at 245 Saratoga, Rochester, NY at approximately 2:00 PM. Law enforcement knocked on the door and announced themselves. However, COLLINS refused to answer the door and law enforcement had to make forcible entry. Upon breaching the door, law enforcement encountered COLLINS, the sole occupant, in the hallway next to the bathroom. Paperwork for COLLINS was located throughout the apartment.

123. In a bedroom to the left of the living room, law enforcement seized:

- COLLINS CELL PHONE # 2;
- COLLINS CELL PHONE # 3; and
- \$1,358.00 in U.S. currency.

124. On the floor next to the bathroom (where COLLINS was located), law enforcement seized 15 purple capsules containing suspected crack cocaine that were on top

of a large clear plastic bag containing approximately 100 new/unused purple capsules and a razor blade.

125. In the kitchen on the floor near the stove, officers seized approximately 100 new and unused capsules. In the living room, officers also seized a small number of new and unused bags that were located inside a makeup bag.

126. See Paragraphs 70-86, 95-96, 139-143, 147, 171-172, 175-176, and 179-182 for additional evidence of COLLINS's involvement in this narcotics conspiracy.

SHAWNLE McCLARY

127. SHAWNLE McCLARY is a 48 year-old male black with one prior violent felony conviction. In 2004, McCLARY was convicted after trial of Assault in the First Degree, Robbery in the First Degree, both class violent B felonies, and Criminal Possession of a Weapon in the Second Degree (Loaded Firearm), a class C violent felony, for which he was sentenced to an aggregate term of 12 years imprisonment.

128. McCLARY lives at 186 Mobile Drive, Rochester, New York. He is the fentanyl supplier for the DTO and recently has become a new cocaine source for the DTO. McCLARY utilized 181 Rossiter Road, Rochester, New York to store narcotics. McCLARY owns 86/88 Forester Street, where FULLER (86) resides and stores, processes and packages narcotics, and Amarilis DIAZ- a/k/a Amy (88) also stores, process and packages narcotics for the DTO.

Intercepted Phone Communications Involving McCLARY

129. On **December 18, 2023**, between 8:22 PM and 8:30 PM, the following text communications were intercepted between JACKSON CELL PHONE and McCLARY CELL PHONE (Ref #s 2483, 2486, 2487, 2489, 2491):

SM: Shawnle McClary

TJ: Timothy Jackson

SM: Mannn we about to eat real quick

TJ: Yup

SM: Nigga pressed me 3.5 !!

SM: Lol

TJ: Damn!!

130. Based on my training, experience, and knowledge of this investigation, I believe McCLARY is telling JACKSON that they are going to make some money (“*we about to eat real quick*”) because McCLARY has just been fronted 3½ kilograms of cocaine from a new supplier (“*Nigga pressed me 3.5*”).

131. On **December 25, 2023**, between **2:13 PM** and **3:23 PM**, the following text messages were intercepted between 585-806-6571, being utilized by KP, and McCLARY CELL PHONE (Ref # 2835, 2837, 2842, 2844, 2850, 2852, 2854, 2856):

SM: Shawn McClary

KP: KP a/k/a KD

KP: Kuzzo Gave Me Ya 7..

KP: Need W

SM: In route

SM: Yo

SM: Bring all the bread out with u

KP: It's At The Other House

SM: I need it

SM: Pulling up now

132. Based on my training, experience, and knowledge of this investigation, I believe KP was informing McCLARY they needed more cocaine to sell at 96 Angle Street (“*Need W*”), McCLARY advised that he was coming there to resupply KP and directed KP to have all the proceeds from the drug sales at 96 Angle Street ready to give to McCLARY (“*In route...Bring all the bread out with you*”), but KP said the money was at 49 Angle Street (“*It's At The Other House*”).

133. At approximately **3:25 PM** (approximately two minutes after texting “*Pulling up now*”, pole camera footage showed McCLARY’s HYUNDAI arrive at 96 Angle Street. At approximately **3:27 PM**, KP exits 96 Angle Street and gets into the passenger seat of McCLARY’s HYUNDAI, which departs shortly after. At approximately **3:30 PM**, McCLARY’s HYUNDAI pulls into the driveway at 49 Angle Street, KP exits the passenger side of the vehicle, knocks on the door, and, after it is opened, enters 49 Angle Street. At approximately **3:32 PM**, KP exits 49 Angle Street and enters the passenger side door of McCLARY’s HYUNDAI (still in the driveway at 49 Angle Street) and departs shortly after. At approximately **3:33 PM**, McCLARY’s HYUNDAI arrives at 96 Angle Street, where KP exits and re-enters 96 Angle Street.

134. Based on my training, experience, and knowledge of this investigation, I believe McCLARY provided KP additional cocaine to sell, drove KP to 49 Angle Street so KP could obtain the money, then dropped KP back off at 96 Angle Street to sell the additional cocaine provided by McCLARY after KP provided McCLARY the money.

135. Between **3:35 PM** and **6:24 PM**, the following text communications were intercepted between FULLER CELL PHONE and McCLARY CELL PHONE (Ref # 2874, 2877, 2881, 2883, 2886, 2889, 2892, 2896, 2898, 2901, 2904, 2907, 2911, 2916, 2920, 2924, 2927):

SM: Shawnle McClary

GF: Gary FULLER

SM: I’m about to add the money up.

SM: And start paying the machine back.

GF: Ok, remember it’s different money in there.

SM: So you want me to leave it?

SM: I’m just waiting on the money for 4.

SM: The rest is you.

SM: I’ll wait.

GF: 3 bands is what I had before I bounced.

SM: I wrapped up 4.

SM: I just took another 3 bands.

SM: You owe 56.

SM: It's 76 altogether.

GF: You left me 3 though, cuz.

SM: I'm adding it all together.

SM: 3346.

GF: That's including the "W"?

SM: Everything.

136. Based on my training, experience, and knowledge of this investigation, I believe McCLARY is telling FULLER that McCLARY is collecting and counting money to pay the supplier who fronted the 3½ kilograms of cocaine one week earlier (see Paragraphs 129-130) (*"I'm about to add the money up...And start paying the machine back"*), that FULLER still owes \$5,600.00 and that they collectively owe \$7,600 in total for the 3½ kilograms of cocaine (*"It's 76 altogether"*).

JACKSON, FULLER, McCLARY, and COLLINS Arrange Resupply to Drug House on Angle Street

137. On **December 29, 2023**, at approximately **8:08 PM**, an outgoing call to FULLER CELL PHONE was intercepted on McCLARY CELL PHONE (Ref # 3147). During the call, FULLER asked McCLARY if McCLARY *"got something put together?"* to which McCLARY replied, *"Nah, I didn't think you would be...but I could real quick."* FULLER stated, *"I mean we we good till tomorrow but... we need it by tomorrow"* to which McCLARY replied, *"I'm like a machine nigga."* FULLER stated, *"Alright. By tomorrow we gonna need it. By the morning cuzz..."* to which McCLARY replied, *"Don't panic, man. I got you man. Did I drop the ball ever yet?"*

138. Based on my training, experience, and knowledge of this investigation, I believe that FULLER contacts McCLARY to see if McCLARY has a quantity of fentanyl that has already been processed and is ready to be supplied (*"got something put together"*), because the JACKSON DTO needs it by the next morning to insure a continuous supply at the drug sale locations (*"By tomorrow we gonna need it"*). McCLARY assures FULLER he can get the fentanyl ready and has never been unable to supply the fentanyl when requested in the past (*"I'm like a machine nigga.... Don't panic, man. I got you man. Did I drop the ball ever yet?"*).

139. On **December 30, 2023**, at approximately **12:35:34 PM**, an incoming call from COLLINS CELL PHONE # 3 was intercepted on FULLER CELL PHONE (Ref # 4869): *"No W"*. At approximately **12:35:55 PM**, an incoming call from FULLER CELL PHONE was intercepted on McCLARY CELL PHONE (Ref # 3161). During the 9-second call, McCLARY said, *"I ain't forget about you. I'm on my way"* to which FULLER responded, *"Oh, alright. Alright. They out."*

140. Based on my training, experience, and knowledge of this investigation, I believe that COLLINS told FULLER that the drug sellers at 96 Angle Street had no more cocaine left to sell (*"No W"*). FULLER immediately called McCLARY to see if McCLARY was ready to resupply the cocaine because the workers had run out of cocaine to sell and are ready to be resupplied (*"They out."*) and McCLARY advises that he is on his way to resupply FULLER (*"I'm on my way"*).

141. At approximately **12:36 PM**, an outgoing call to COLLINS CELL PHONE # 3 was intercepted on FULLER CELL PHONE (Ref # 4873). During the call, FULLER tells COLLINS *"I am waiting to get this shit right now so...He is on his way now so"* and COLLINS replies, *"Alright, I literally just ran out."* FULLER states, *"Yup. I know, I know."* COLLINS also

tells FULLER that, “*There is some people at the...*” and FULLER interjects, “*Listen, send them down to the green house.*” COLLINS says, “*Yeah, that is where they going...they going there*” and FULLER reiterates, “*Yeah, come down to the green house.*” At the same time of this call, pole camera footage showed two unidentified individuals walk away from 96 Angle Street and proceed directly to 69 Angle Street, another drug sale location that is periodically utilized by this DTO (and which is green in color).

142. Based on my training and experience, FULLER contacted COLLINS immediately after speaking to McCLARY to advise her that McCLARY is heading over to FULLER with the resupply of fentanyl to sell (“*I am waiting to get this shit right now so...He is on his way now so*”). COLLINS advises FULLER that they recently sold the last fentanyl (“*Alright, I literally just ran out*”) and FULLER confirms he is aware that they are out of fentanyl to sell (“*Yup. I know, I know*”). FULLER further directs COLLINS to send the drug customers from 96 Angle Street to 69 Angle Street (“*Listen, send them down to the green house... Yeah, come down to the green house*”). COLLINS confirms (“*Yeah, that is where they going...they going there*”).

143. At approximately **12:45 PM**, pole camera footage showed McCLARY depart 186 Mobile Drive in McCLARY’s HYUNDAI. At approximately **1:06 PM**, pole camera footage showed McCLARY’s HYUNDAI turn into the driveway at 86/88 Forester. McCLARY then exited the HYUNDAI and entered the enclosed porch door at 86/88 Forester. At approximately **1:08 PM**, pole camera footage showed McCLARY exit 86/88, enter McCLARY’s HYUNDAI, and depart the area. Based on my training, experience, and knowledge of this investigation, I believe McCLARY resupplied FULLER with the requested cocaine for the drug sale location at 96 Angle Street where COLLINS was located.

144. At approximately **1:57 PM**, an outgoing call to JACKSON CELL PHONE was intercepted on FULLER CELL PHONE (Ref # 4884). During this call, FULLER tells asks, *"Is it alright I grab two babies?"* JACKSON later says, *"They ain't leave babies, though. They in singles."* FULLER states, *"Right, right, right. That's what I need, the single, though cuz."* JACKSON agrees, *"We give him a single"* FULLER replies, *"That, that's it, that's all I need is just one. I ain't know, you know, what the...I ain't wanna just grab it, you know what I'm saying?... Not know what is what. That's why I was calling you"*). JACKSON says, *"I'm about to pull up anyway...Yeah, I'm coming now, you can grab, grab it. Coming now."* FULLER then tells JACKSON, *"I gotta run to the, um, 'A' 'cause we out over there too."* JACKSON replies, *"Yep, just bring it all then. Just bring it upstairs."* At approximately **2:11 PM**, pole camera footage shows JACKSON's TAHOE arrive at 86/88 Forester Street as FULLER exits 86/88 Forester Street. At approximately **2:13 PM**, JACKSON and FULLER entered the enclosed porch at 86/88 Forester Street.

145. Based on my training and experience, FULLER called JACKSON to ask if he could get two 31-gram quantities of cocaine in one 62-gram bag for a customer (*"Is it alright I grab two babies?"*) JACKSON agrees but explains that the cocaine is only broken down into 62-gram quantities, not 31-grams quantities (*"They ain't leave babies, though. They in singles"*). FULLER confirms all he needs is one 62-gram quantity of cocaine but did not want to just take one with permission from JACKSON (*"That, that's it, that's all I need is just one. I ain't know, you know, what the...I ain't wanna just grab it, you know what I'm saying?... Not know what is what. That's why I was calling you"*). JACKSON agrees and says he will be arriving at 86/88 Forester shortly (*"I'm about to pull up anyway...Yeah, I'm coming now, you can grab, grab it. Coming now."*). FULLER tells JACKSON that FULLER also has to resupply cocaine to the

drug house at 96 Angle Street because that location had no more cocaine to sell (“*I gotta run to the, um, ‘A’ ‘cause we out over there too.*”). JACKSON tells FULLER to bring it to the upstairs apartment at (88 Forester Street) of DIAZ which is used to process and package narcotics. Shortly after, JACKSON arrived and he and FULLER brought the cocaine inside and went upstairs to 88 Forester Street to process the drugs.

146. At approximately **2:52 PM**, FULLER exited 86/88 Forester Street and departed in FULLER’s CHEVY. At approximately **3:06 PM**, FULLER’s CHEVY arrived at 96 Angle Street and FULLER exits FULLER’s CHEVY and enters 96 Angle Street.

147. Based on my training, experience, and knowledge of this investigation, I believe the above calls and surveillance reflect that McCLARY provided the requested cocaine to FULLER at 86/88 Forester Street. Thereafter, JACKSON arrived at 86/88 Forester and he and FULLER processed it upstairs inside 88 Forester Street. FULLER later departed 86/88 Forester Street and brought the cocaine to COLLINS at 96 Angle Street.

148. On **January 4, 2024**, at approximately **8:14 AM**, an following incoming (incoming call from FULLER CELL PHONE was intercepted on McCLARY CELL PHONE (Ref # 3696). FULLER says “*Cuzzo, I need you ASAP, ASAP. Please*” to which McCLARY responds, “*I’ll be over there*”. At approximately **8:49 AM**, pole camera footage showed McCLARY park McCLARY’s SUBARU in the road in front of 86/88 Forester, exit the vehicle and speak with FULLER outside the vehicle. At approximately **8:51 AM**, FULLER exited McCLARY’s SUBARU, entered the enclosed porch door at 86/88 Forester, and McCLARY departed the area. At approximately **8:57 PM**, FULLER exited 86/88 Forester Street, and entered FULLER’s CHEVY, where he remained for several minutes. At approximately **9:03 PM**, FULLER’s CHEVY departed. At approximately **9:11 PM**,

FULLER's CHEVY drove into the driveway at 96 Angle Street. FULLER exited the vehicle, opened the door at 96 Angle Street, and reached his arm in briefly before returning to his vehicle and departing at **9:12 PM**.

149. Based on my training experience, and knowledge of this investigation, I believe that FULLER is letting McCLARY know that he needs additional narcotics. McCLARY reassures FULLER he will deliver the drugs to him, which he does. Thereafter, FULLER delivers the drugs to the drug sale location at 96 Angle Street.

150. On **January 5, 2024**, at approximately **11:20 AM**, an following outgoing call from FULLER CELL PHONE was intercepted on McCLARY CELL PHONE (Ref # 3738). During the call, McCLARY asks, "*I said what you looking like?*" to which FULLER responds "*Ah shit we good, we good....*" Based on my training, experience, and knowledge of this investigation, I believe that McCLARY is asking if FULLER needs any additional narcotics and FULLER indicates that they do not because they have enough narcotics to sell at the time.

151. On **January 10, 2024**, at approximately **4:13 PM**, an following outgoing call to McCLARY CELL PHONE was intercepted on FULLER CELL PHONE (Ref # 5769). During the call, FULLER says "*Cuzzo you can start putting somethin' together*" to which McCLARY responds, "*That shit hammering nigga.*" McCLARY says, "*Shit, I'm about to come get that right now.*" FULLER replies, "*Aight. Yeah, yeah. Right.*"). At approximately **5:05 PM**, pole camera footage shows McCLARY's SUBARU arrive at 86/88 Forester, McCLARY exited the vehicle and at approximately **5:06 PM**, McCLARY entered the enclosed porch of 86/88 Forester Street. At approximately **5:08 PM**, McCLARY exited 86/88 Forester Street, entered McCLARY's SUBARU, and departed the area.

152. Based on my training, experience, and knowledge of this investigation, I believe that FULLER was telling McCLARY that McCLARY should start getting the resupply ready for the drug sale location because the quantity of drugs they are selling has gotten low (*“Cuzzo you can start putting somethin’ together”*). McCLARY agreed and then brought the requested resupply to FULLER at 86/88 Forester.

153. On **January 1, 2024**, at approximately **3:20 PM**, mobile surveillance observed McCLARY’s HYUNDAI drive to 181 Rossiter Road. At approximately **3:26 PM**, mobile surveillance observed McCLARY’s HYUNDAI depart the driveway of 181 Rossiter.

154. On **January 3, 2024**, at approximately **3:13 PM**, pole camera surveillance showed McCLARY’s HYUNDAI park in the driveway of 181 Rossiter Road. McCLARY exits his vehicle, checks the mail, then enters the house through the door on the driveway. At approximately **3:43 PM**, McCLARY exits and departs in McCLARY’s HYUNDAI.

155. On **January 9, 2024**, at approximately **1:25 PM**, pole camera surveillance captures McCLARY’s SUBARU parks in the driveway of 181 Rossiter Road. McCLARY exits his vehicle, then enters the house through the door on the driveway. At approximately **2:19 PM**, McCLARY exits and departs in McCLARY’s SUBARU.

156. On **January 10, 2024**, at approximately **6:59 AM**, a GPS tracker attached to McCLARY’s SUBARU shows McCLARY’s SUBARU arrive at driveway of 181 Rossiter Road. At approximately **1:27 PM**, McCLARY pole camera surveillance captures McCLARY exit the front door of 181 Rossiter Road and depart in McCLARY’s SUBARU.

Search Warrants

157. On **January 17, 2024**, N.Y. state search warrants were executed at McCLARY's residence at 186 Mobile Drive, in the Town of Greece, New York and his stash house location at 181 Rossiter Road, Rochester, New York.

158. At 186 Mobile Drive, law enforcement encountered McCLARY, Kimberly Brown, Darius Brown, and a young child upon entry. While officers were searching, McCLARY asked to speak to RPD Inv. Post. After Inv. Post advised McCLARY of his Miranda rights, McCLARY said he knew what they were looking for and directed officers to the nightstand on the right side of the bed in the master bedroom. During the search, the following items were discovered.

159. In the master bedroom, officers seized:

- one (1) PMF, Polymer 80, 9mm pistol bearing no serial number, loaded with 7 rounds of 9mm ammunition in the magazine, in the nightstand drawer;
- one (1) Sig Sauer, P365, 9mm semi-automatic pistol with a defaced serial number, loaded with 7 rounds of 9mm ammunition in the magazine and 1 round in the chamber, in the nightstand drawer;
- a set of keys on an end table which operated McCLARY's SUBARU, McCLARY's HYUNDAI, McCLARY's MAZDA, and the door locks at 186 Mobile Drive and 19 Angle Street;
- \$2,000.00 in U.S. currency, in a cardboard box behind the nightstand;
- one (1) black plastic bag containing paraphernalia for the processing and packaging of narcotics, to include new/unused small bags, sandwich bags, and a digital scale, on the ground in front of the nightstand; and
- one (1) plate with a razor blade and white residue, on the floor next to the plastic bag with the packaging material.

160. In the first bedroom on the right-hand side of the hallway, in plain view, officers seized:

- one (1) Tokarev, TBP 12, pistol-gripped 12 gauge shotgun with a defaced serial number, loaded with 5 rounds of 12 gauge ammunition in the magazine; and
- one (1) Ramarm/Cugir, Dracco, 7.62 rifle bearing serial number 22DG-4646, loaded with 6 rounds of 7.62 ammunition in the magazine.

161. In a side room in the basement, located under the cushion of a chair, officers seized one (1) Randall, 1911, .45 caliber semi-automatic pistol bearing serial number RF029343C, loaded 6 rounds of .45 caliber ammunition in the magazine and 1 round in the chamber.

162. At 181 Rossiter Road, law enforcement encountered Elisha Jackson and two small young children upon entry. In the basement, officers seized the following:

- one (1) Tops grocery bag containing paraphernalia for the processing and packaging of narcotics for distribution, including: a digital scale, sifter, sandwich bags, and a box of baking soda with two spoons inside (on the basement floor in plain view);
- One (1) Tops grocery bag with 12 knotted plastics bags that contained a total of approximately 706.6 grams of suspected cocaine (basement rafters); and
- three (3) empty kilogram wrappers with markings (garbage bag).

163. After waiving her Miranda Rights, Elisha Jackson stated, in sum and substance, that she has dated McCLARY on and off for 8 years. She recently bought 181 Rossiter Road, and moved in with her daughters. McCLARY stays over on occasion, and has a key to the house, but police will not find clothing or belongings of his there.

164. See Paragraphs 205, 221 for additional evidence of McCLARY's involvement in this narcotics conspiracy.

SHAMAR ANDERSON a/k/a “Zay”

165. Shamar ANDERSON a/k/a “Zay” is 27 year-old male black with no felony convictions. ANDERSON works at drug sale locations, including 96 Angle Street and 49 Angle Street, selling narcotics and collecting money.

Intercepted Phone Communications Involving ANDERSON

166. On **November 6, 2023**, at approximately **9:32 AM**, the following incoming call from (585) 806-6571, utilized by ANDERSON, was intercepted on FULLER CELL PHONE (Ref # 752):

GF: Gary Fuller

SA: Shamar Anderson

SA: Yo .

GF: (talking in background) Bullshit nigga.

GF: Cuzzo, bring me a bag of “B” in the hideout.

SA: Aight.

GF: I’m right here. Aight.

167. At approximately **9:33 AM**, pole camera footage showed ANDERSON exit 49 Angle Street and appear to hand something to FULLER, who was standing next to FULLER’s SUBURBAN across from 49 Angle Street.

168. Based on my training, experience, and knowledge of this investigation FULLER is telling ANDERSON to bring him some fentanyl from 69 Angle Street to 49 Angle Street (“*Cuzzo, bring me a bag of “B” in the hideout*”) and ANDERSON agrees (“*Aight*”), obviously aware of the meaning of the codes “*bag of ‘B’*” and “*the hideout*” used by FULLER. FULLER says that he is at 49 Angle Street (“*I’m right here*”).

169. On **November 7, 2023**, at approximately **9:20 PM**, the following incoming call from (585) 806-6571, utilized by ANDERSON, was intercepted on FULLER CELL PHONE (Ref # 874):

GF: Gary Fuller
SA: Shamar Anderson

GF: Yo.
SA: Yo, it's 50.
GF: 50 minutes?
SA: Yeah.
GF: Aight. 50 left. Copy.

170. Based on my training, experience, and knowledge of this investigation, ANDERSON is reporting to FULLER the quantity of a particular drug they have left to sell at 49 Angle Street (“Yo, it’s 50”) and FULLER confirms the report (“...50 left. Copy.”). At approximately **9:43 PM**, pole camera footage showed FULLER arrive and enter 49 Angle Street.

171. On **November 8, 2023**, at approximately 8:35 AM, the following incoming call from (585) 806-6571, utilized by ANDERSON, was intercepted on FULLER CELL PHONE (Ref # 888):

GF: Gary Fuller
SA: Shamar Anderson

SA: Yo.
GF: Cuzzo.
SA: Yo.
GF: You got to start sending me the count, cuz.
SA: Whatch you mean? You, you tell me to write it down.
GF: Nah, you got send it to me too.
SA: Keisha texted to you.
GF: Yeah, but you got to send your shit to cover your ass. The last count I got from you was on Sunday.
SA: Aight. I gotch you.
GF: But, um, what's the count right now though, cuzzo? How we looking? (inaudible) How, much, how much, how much G's we got left?

SA: *Damn. I gotta go down to the shit. I only sold one.*
 GF: *It's in the stash though, right? Oh, you only sold one?*
 SA: *Hold On I got the text. Hold on...210 in G's left.*
 GF: *210 in G's left?*
 SA: *I don't know how, it sent, you sent 240 here.*
 GF: *So, you sold one?*
 SA: *Yeah.*
 GF: *Alright, so that's 240, 'cause you sold one. They \$30, cuz.*
 SA: *Aight.*
 GF: *So, 10 plus 30 is 240.*
 SA: *Yeahh..*
 GF: *Alright. Um, how much did you move a fist W pack?*
 SA: *Nope. I'm still on that.*
 GF: *Whaaatt? How much you sold, cuz? Daamnnnn...!*
 SA: *This is 160.*
 GF: *Wait, you only made 160 last night, cuz?*
 SA: *65.*
 GF: *Daamnn! So, you only sold 165 in W?*
 SA: *Yeahh.. On, uh, on top of that, that 170.*
 GF: *What the fuck!*
 GF: *What, 170?*
 SA: *From old girl. Remember, old girl bought 200 of what was 170?*
 GF: *170. What, when I was there?*
 SA: *Yeah.*
 GF: *Yeah. That was.. Uh-oh. Wait. Damnnnn. So, really only sold like 100, cuz.*
 SA: *Like I was on my shit. Yeah, pretty much. That shit was slow.*
 GF: *Aight. How much B cash you got?*
 SA: *Tahh, barely anything.*
 GF: *Whaaatt?*
 SA: *Hell yeah.*
 GF: *Oh my God! What the fuck is going on there? Did the green house hit you last night?*
 SA: *Yeahh, but like dumb late.*
 GF: *Whhaaatt?*
 SA: *It's like 5:00 in the morning.*
 GF: *Daamnn! They shit was booming, huh?*
 SA: *Hell nah.*
 GF: *No?*
 SA: *'Cause Keisha said that they was low at like 12:00, and he ain't come get it till 5:00.*
 GF: *Daaamnnnn! Fuck was he sleep or something?*
 U/M: *Nah, he was up.*
 GF: *Daamnn, cuz! It's just slow all around, huh?*
 SA: *Hell yeah.*
 GF: *You only sold one G? One gram, right?*
 SA: *Yeah.*
 GF: *Damn cuz! What the fuck going on? This shit crazy (laughing). Aight, cuzzo. Aight, just, um, you know before you leave and shit, just text me the count with everything. Text me how*

much G's you sold, how G's left, how much G cash you got, how much B you sold, how much B left, how much B cash you got, same thing with W.

SA: Aight, copy.

GF: Aight copy, cuz.

172. Based on my training, experience, and knowledge of this investigation FULLER tells ANDERSON that he needs to report the progress of drug sales at when he is selling for the DTO at drug houses on Angle Street) (*"You got to start sending me the count, cuz"*) and ANDERSON replies that COLLINS already sent it (*"Keisha texted to you"*). FULLER explains to ANDERSON that he needs to report his counts to cover himself, even though COLLINS had previously sent her count (*"Yeah, but you got to send your shit to cover your ass"*). FULLER asks ANDERSON about the pace and number of drug sales the previous night, and was asking if it was slow (*"[W]hat's the count right now though, cuz? How we looking? (inaudible) How, much, how much, how much G's we got left? ...It's just slow all around, huh?"*). FULLER also makes sure ANDERSON is aware that the bags of cocaine which contain one (1) gram are sold for \$30, as distinguished from the \$5 bag of cocaine and fentanyl which have less than a gram (*"They \$30, cuz"*). FULLER concludes by reiterating to ANDERSON his reporting responsibilities as a seller in the drug house, directing him to text FULLER the count of what ANDERSON sold, what he has left, and how much cash was earned from the sale of grams, fentanyl, and cocaine (*"Aight, just, um, you know before you leave and shit, just text me the count with everything. Text me how much G's you sold, how G's left, how much G cash you got, how much B you sold, how much B left, how much B cash you got, same thing with W"*).

173. On **November 11, 2023**, at approximately **8:49 AM**, the following incoming call from (585) 806-6571, utilized by ANDERSON, was intercepted on FULLER CELL PHONE (Ref # 1095):

GF: Gary Fuller

SA: Shamar Anderson

SA: Yo.

GF: Cuzzo, we got 250 in B? Cash?

SA: Uh, no sir.

GF: How much we got?

SA: 130.

GF: Alright, 130?

SA: Yeah.

GF: Alright. Take the 130. How much W, how much W we got left?

SA: We got one, down there, it's about two something.

GF: So I owe you... that's all we got left?

SA: Yeah.

GF: Ah, I forgot what the count was, what we had, um, yeah, 5 and some change I think, 560-some shit.

SA: Uh, I think I got 605.

GF: Ok, that's what we have, 605?

SA: You said what, what?

GF: We got 605 left in W?

SA: Yeah, hold on. Let me check 'cause I just did this... Yeah.

GF: Ok, take it, um, we got \$250 in cash up there?

SA: Yeah.

GF: Take your \$250 in cash from W cuz. That's yours.

SA: Alright.

GF: Take the 130 from B, and then I owe you a buck twenty.

SA: Copy.

GF: So, before you go, text me the count with how much W we got left, cuz, and how much B we got left, and make sure the Gram money is with the Gram money, everything al, alright?

SA: Copy.

GF: So you cover your ass, ok?

SA: Yep.

GF: Alright, cuz and let me know you took 250 W and then 125 B so I don't forget.

SA: Copy.

GF: Alright, cuz.

174. Based on my training, experience, and knowledge of this investigation FULLER and ANDERSON are discussing the narcotics and cash on hand. FULLER is telling ANDERSON to take \$250.00 in proceeds from the sale of cocaine, \$130.00 in proceeds from the sale in fentanyl, and then FULLER owes ANDERSON \$120.00 in cash to add up to his \$500.00 weekly salary for selling drugs for the DTO.

175. On **December 9, 2023**, at approximately **2:54 PM**, the following incoming call from (585) 806-6571, utilized by ANDERSON, was intercepted on FULLER CELL PHONE (Ref # 2739):

GF - Gary Fuller

SA - Shamar Anderson

SA: Yo.

GF: *Cuzzo, you took your pay this week?*

SA: *Yeah. Just the 250.*

GF: *What you took it out of?*

SA: *Out of W.*

GF: *Out of W?*

SA: *Yeah.*

GF: *You're supposed to take it out of B.*

SA: *Oh, I still got it, so you can -*

GF: *Naw, naw, you got the cash?*

SA: *Yeah.*

GF: *(talking to COLLINS in background) Alright, so boom. So, I'm gonna have more than... So I'm a have 450 in B then Kiesha, 'cause he didn't take it out of B. He took it out of W. And then he took 250 out of W.*

GF: *That was out of the pack I gave you last night, cuzzo?*

SA: *Mmhm. Yeah.*

GF: *Off the G? Alright, copy.*

176. Based on my training, experience, and knowledge of this investigation when asked by FULLER about which drug proceeds he took his salary payment from (*"Cuzzo, you took your pay this week?... What you took it out of?"*). ANDERSON tells FULLER that he took \$250 for his salary out of the proceeds of the cocaine sales (*"Out of W"*) and FULLER informs him he was supposed to take it out of the fentanyl proceeds (*"You're supposed to take it out of B"*). FULLER then appears to report the status of that payment to COLLINS (*"So, I'm gonna have more than... So I'm a have 450 in B then Kiesha, 'cause he didn't take it out of B. He took it out of W. And then he took 250 out of W"*), who it appears is in the background with FULLER.

177. On **December 13, 2023**, at approximately **9:20 AM**, the following incoming call from (585) 806-6571, utilized by ANDERSON, was intercepted on FULLER CELL PHONE (Ref # 3048):

GF: Gary Fuller

SA: Shamar Anderson

SA: Yo.

GF: Cuzzo, that smoke shop closed right now. Um, you gonna have to go send somebody there to get the um, to get them shits, the, uh, just look at the bag size that I gave you.

SA: Alright.

GF: Tell 'em get, um, exactly the same ones cuzzo.

SA: Alright, bet.

GF: Alright. Get a one pack that's all you need.

SA: Just one?

GF: Yeah that's all you need. Remember you gonna get a G off a everything, cuzzo.

SA: Aight.

GF: Alright.

178. Based on my training, experience, and knowledge of this investigation, I believe they have run out of the bags/capsules that they are using to package narcotics for sale at 96 Angle Street. They cannot send someone to buy more bags to package drugs for sale to the smoke shop because it is closed. ("that smoke shop closed right now"). Therefore, FULLER tells ANDERSON to send someone else to get more bags or capsules to package narcotics for sale ("you gonna have to go send somebody there to get the um, to get them shits"). FULLER directs ANDERSON to get the exact same size bag that FULLER had previously given ANDERSON to make sure they continue to package their narcotics in the same manner ("just look at the bag size that I gave you... Tell 'em get, um, exactly the same ones").

Search Warrant

179. On **January 17, 2024**, a N.Y. state search warrant was executed at 96 Angle Street, Rochester, NY at approximately 6:00 AM. Upon entry into the location, which was

barricaded with a 2x4, had a surveillance camera, and extension cords running to tents in the back yard, law enforcement encountered ANDERSON, the sole occupant. There was also a window off the kitchen propped open with a pillow. During the search, officers seized:

180. In the second level first bedroom, on the left side under the floor boards officers seized:

- 35 clear bags, and 500 purple plastic capsules containing approximately 125.72 grams of suspected crack cocaine;
- 92 pink plastic capsules containing approximately 18.4 grams of suspected amphetamine;
- 720 gray plastic capsules, 120 clear plastic capsules, and 16 pink wax envelopes containing approximately 135.36 grams of suspected fentanyl; and
- one (1) green Jeep bag containing new and unused bags, capsules, and razors.

181. In the second level bathroom, officers seized cell phone (585) 806-6571, which is used by drug house workers, including ANDERSON and KP.

182. In the kitchen, officers seized:

- one (1) Phoenix Arms, HP25A, .25 caliber pistol, bearing serial number 4580118, loaded with 1 round of .25 caliber ammunition in the chamber and 6 in the magazine on the kitchen counter;
- mail in the name of COLLINS; and
- \$1,053.00 in U.S. currency in the kitchen cabinet.

183. In the front pocket of ANDERSON's pants, officer seized \$404.00 in U.S. currency.

JAVIER DAVILA

184. Javier DAVILA a/k/a “Javi” is a 35 year-old Hispanic male with no felony convictions. DAVILA works at 49 Angle Street, guarding a stash location, acting as a look out for police on Angle Street, and directing customers to sale locations to include 19 Angle Street, 69 Angle Street and 96 Angle Street.

Intercepted Phone Communications Involving DAVILA

185. On **January 5, 2024**, at approximately **1:33 PM**, the following outgoing call (585) 305-5795, utilized by DAVILA, was intercepted on JACKSON CELL PHONE (Ref # 10570):

TJ: Timothy Jackson

JD: Javier Davila

JD: Hello.

TJ: Yo.

JD: Sup?

TJ: Where you at, kid?

JD: I'm right, I'm right here in front of the house. Crazy Elaine came out.

TJ: Ah?

JD: I'm already at 49 I [unintelligible] got here.

TJ: Somebody here?

JD: No, my [Unintelligible] here, how you got here?

TJ: Oh, I'm, I'm pulling in now.

JD: Cool. Can use some help man, to wake up [laughs].

TJ: [Unintelligible]

JD: I'm right at 49. I been, I been, I been bringing people over here.

TJ: Aah?

JD: I by, I been [Unintelligible] already.

TJ: I'm pulling up.

JD: Alright, Cuzzo. Cool.

186. At approximately **1:34 PM**, pole camera footage showed JACKSON's TAHOE back into the driveway. JACKSON exited, opened the driver's side rear door of JACKSON's TAHOE and met with DAVILA briefly in the driveway. JACKSON then used

a key to open the door to 49 Angle Street, and JACKSON, DAVILA, and a third male enter 49 Angle Street.

187. Based on my training, experience, and knowledge of this investigation, I believe this is DAVILA's on the job as a lookout for the DTO and JACKSON is letting him in to 49 Angle Street and showing him what to do. DAVILA says he is at 49 Angle Street (*"I'm already at 49...I'm right at 49."*). JACKSON says he is arriving at 49 Angle Street (*"Oh, I'm, I'm pulling in now"*). DAVILA asks to meet JACKSON to give him some cocaine (*"Can use some help man, to wake up"*), mentioning that he has been getting people to go over to buy from JACKSON's drug sale location at 49 Angle Street (*"I been, I been, I been bringing people over here."*).

188. On **January 5, 2024**, at approximately **5:48 PM**, the following incoming call from (585) 305-5795, utilized by DAVILA, was intercepted on JACKSON CELL PHONE (REF# 10633):

TJ: Timothy Jackson

JD: Javier Davila

TJ: Yo

JD: I'm right here.

TJ: He, he in there. He expecting you.

JD: (inaudible)

TJ: Aight.

JD: I'mma, I'mma tell this girl where to go. So, it's open that way, yeah?

TJ: Yeah, they there.

JD: Aight. I'ma tell her right now.

TJ: Yeaap.

JD: Aight.

189. At approximately **5:50 PM**, pole camera footage shows DAVILA exit 49 Angle Street and walk to 69 Angle Street (rear), then return and enter 49 Angle Street at approximately **5:55 PM**.

190. Based on my training, experience, and knowledge of this investigation DAVILA is making sure the other drug location is open and is telling JACKSON he will tell a female customer where to go to purchase drugs at 49 Angle Street. I believe he is making sure that 19 Angle is open as pole camera surveillance captured someone in the process of moving a mattress and other large items from 19 Angle Street at the time of this call.

191. On **January 6, 2024**, at approximately **10:16 AM** – after three outgoing calls to (585) 664-5574, utilized by KP a/k/a KD, went unanswered between **10:13 AM** and **10:16 AM** – the following outgoing call to (585) 305-5795, utilized by DAVILA, was intercepted on JACKSON CELL PHONE (REF# 10797):

TJ: Timothy Jackson

JD: Javier Davila

KP: KP a/k/a KD

JD: Good morning brother (Laughs).

TJ: Alright, what's good with you?

JD: (Unintelligible) Not much. Is he bought to get some?

TJ: Yep, I'm 'bout to come around there. Where you at? I'mma go..., Go to the window for me. Put this this nigga the phone.

JD: I'm right, I'm right here. I'm right at the spot now. I fell asleep.

TJ: Huh? He was, you asleep?

JD: Yeah, I fell asleep. I was, you just woke me up right now, I'm like damn..

TJ: Yeah. Give, um, give, go to the window and give (unintelligible) the phone for me.

JD: (Unintelligible) to the window right now, I'm right here.

TJ: He, he at the window?

JD: I'm by the window, I'm taking somebody over here.

TJ: Yeah, um.

JD: Gimme a second. Ooh, it's cold. (yawns)

TJ: How long you sleep?

JD: (Laughs) I fell asleep man.

TJ: How long you was, was, how long you stayed up?

JD: (Laughs)

TJ: You sleep early?

JD: Walk, walking there right now.

TJ: If you went to sleep earlier you was up for a little bit.

JD: Yeah.

TJ: (Unintelligible).

JD: I'm right here.

TJ: Time you went to sleep nigga?

JD: Higher than hell (unintelligible) it was like, wanna say like seven.

TJ: Um-hm.

JD: Ugh, I'm at the window, he's waiting.

TJ: Alright.

JD: Ugh. Yo. Yo. Nobody answering.

TJ: Right.

JD: Yo.

TJ: You, um, you hear the bell ringing?

JD: Yeah. I'm there right now.

TJ: You hear the bell ringing?

JD: Yeah. It's ringing. Oh, he's coming, he's coming. He's coming. (Unintelligible) [To KP]: He want to talk to you. Yep.

TJ: [To KP]: Yo.

KP: Yo. Yo.

TJ: Why you ain't answering the phone pimp?

KP: Oh my shit had died, I had just, I just powered my shit back on a second ago.

TJ: Yeah what, why you taking so long? This ain't taking 10 min. You tired? You asleep?

KP: Nah, I ain't even taking hella long. I had just, I had just answered the window and grabbed, and, and, and, and, and was 'bout to hit the lick, but the one dude his mans come through violent.

TJ: Ah he, he with us.

KP: Well, whoever that was came through violent.

TJ: And the young nigga he with us, he was, he at the, he down the street, he the one with, you ain't seen him yesterday?

KP: Yeah, um, uh, fuck he doing over there, bro crazy.

TJ: Yeah, yeah, yeah. He, I just told him to calm his ass down, he with us.

KP: Yeah, yeah bro he um, I don't know what type of time this thing on.

TJ: He ain't know nothing, that's my cousin though. He ain't know nothing. He, he trying to make a couple dollars. Nigga being all zealous. He trying to get it done.

KP: He on, he on some (unintelligible) bro, I ain't.

TJ: Yeah, he ain't gonna be around nothing, that's it. But yeah, that's him cuz. Yeah, he alright. He trying to get 'em down there. He don't, he don't know the fuck he, he over-zealous, that's all. But he with us though. Just, he gonna be running 'em heavy, like the Spanish nigga. He falls asleep or whatever. Man, he gonna send 'em down there. I'm 'bout, I'm bout to come anyways.

KP: Alright.

TJ: Yeah, um, give um, actually, let me talk to High real quick, before he, give him his phone.

KP: Alright.

JD: Hello?

TJ: [to JD]: Why-you leave right now. I'm on my way there anyway.

JD: (Unintelligible) what?

TJ: Hm?

JD: Three hard.

TJ: Say it again.

JD: Three hard and one boy, right here.

TJ: Yeah. Tell him I said, give him two.
JD: Hello. I told him three hard and one boy.
TJ: Yep, he good.
JD: He's right here for you to tell him.
TJ: [to KP]: He good, cuzzo.
KP: Alright. I'm 'bout to get him right now.
TJ: Hang on a second.
JD: Alright.

[call ends]

192. At approximately **10:16 AM** (the same time as the above call), pole camera surveillance shows DAVILA exit 49 Angle Street. As he approaches 19 Angle Street, DAVILA can be seen on talking on a cell phone. He then walks between houses towards the backyard. At approximately **10:23 AM**, DAVILA emerges from the backyard area onto Angle Street. DAVILA walks towards Lyle Avenue briefly, then returns and enters 49 Angle Street at approximately **10:26 AM**.

193. Based on my training, experience, and knowledge of this investigation, I believe JACKSON instructs DAVILA to go to the window at 19 Angle Street and give KP the phone (*"Go to the window for me. Put this this nigga the phone... go to the window and give (unintelligible) the phone for me."*). DAVILA tells JACKSON he is doing it now, and bringing a customer to the drug sale location (*"I'm taking somebody over here"*). DAVILA and the customer wait for KP to answer the door/open the window while they speak to JACKSON. After JACKSON asks, DAVILA confirms that the doorbell for the sale location is functioning (*"I'm at the window, he's waiting... Nobody answering... TJ: You hear the bell ringing? JD: Yeah. It's ringing. Oh, he's coming, he's coming"*). After KP answered and DAVILA handed KP the phone, JACKSON questions KP for failing to answer the phone while he is at the drug sale location when JACKSON was calling him (*"Why you ain't answering the phone pimp?...why you taking so long? This ain't taking 10 min. You tired? You asleep?"*). At the end of the conversation, DAVILA asked

JACKSON for 3 bags of crack cocaine, and one bag of fentanyl for his effort (“*Three hard and one boy, right here?... Hello. I told him three hard and one boy*”) and JACKSON agreed (“*Yeah, tell him I said...*”). DAVILA asks JACKSON to tell KP directly that JACKSON has given KP permission to provide the requested narcotics to DAVILA without payment (“*JD: He's right here for you to tell him. TJ [to KP]: Yep, he good, cuzzo.*”).

Search Warrant

194. On **January 17, 2024**, a N.Y. state search warrant was executed at 49 Angle Street, Rochester, NY at approximately 6:00 AM. Upon entry, law enforcement encountered Javier Davila on the living room floor near the rear bedroom.

195. In the kitchen officers seized:

- A digital scale;
- A surveillance system;
- New and unused plastic bags inside an ammunition can; and
- New and unused plastic bags in a kitchen drawer.

196. In a stash location in the kitchen floor, officers seized:

- approximately 800 capsules (600 green, 200 yellow) containing a total of 231.95 grams (pre-lab weight) of crack cocaine;
- one (1) Smith and Wesson M & P Shield, 9mm semi-automatic pistol with a defaced serial number, loaded with containing 7 rounds of 9mm ammunition in the magazine (2 rounds of Hornady ammunition, and 5 rounds of PMC ammunition); and
- New and unused hypodermic needles.

197. In the rear bedroom, officers seized:

- one (1) cell phone and 2 Visa cards in DAVILA's name on the bed; and

- one (1) cell phone on the floor.¹²

198. During an interview after waving his Miranda rights, DAVILA stated, in sum and substance, among other things, that:

- DAVILA knows “T” or “Tony” who allows him to stay at 49 Angle Street and who drives a red pickup;
- DAVILA has been at 49 Angle Street for a week or two;
- “T” is in charge of 49 Angle and 19 Angle; 49 Angle Street used to be a drug sale spot but recently closed;
- “T” paid DAVILA in cash or crack cocaine to redirect customers to the new location or to monitor the surveillance cameras inside 49 Angle;
- DAVILA did not know anyone else in the DTO and that “T” was the only person he ever saw in 49 Angle Street; and
- DAVILA never saw “T” place drugs or firearms inside 49 Angle, and was unaware of their presence at the location.

RADHAMES CANDELARIO-LOPEZ

199. Radhames CANDELARIO-LOPEZ (hereinafter CANDELARIO-LOPEZ) is a 28 year-old Hispanic male with one prior felony conviction. On November 21, 2018, LOPEZ was convicted in County Court, Monroe County, Rochester, New York, of Criminal Possession of a Controlled Substance in the Third Degree, a class B felony, for which he was sentenced to 3 years parole supervision. CANDELARIO-LOPEZ lives at 25 Kirkland Road, Rochester, New York. CANDELARIO-LOPEZ is a fentanyl supplier for the DTO.

¹² I have been advised that one of the phone seized in the bedroom cell phone (585) 305-5795, which DAVILA was intercepted on over the wiretap.

Intercepted Phone Communications Involving CANDELARIO-LOPEZ

200. On **November 25, 2023**, at approximately **2:34 PM**, the following call incoming call from (585) 503-8905, utilized by CANDELARIO-LOPEZ, was intercepted on JACKSON CELL PHONE (Ref# 4487):

TJ: Timothy Jackson

RL: Radhames Candelario-Lopez

RL: Yo.

TJ: Yo.

RL: Yo, what's up, Pa?

TJ: What's good, cuz?

RL: Chillin', chillin', you know, you heard?

TJ: I was tell you everything was, um, everything was, everything was valid, when we talked about the other day.

RL: (unintelligible) Huh?

TJ: Who this? (talking to someone else in the background) So, when we talked about the other day, everything was, was (unintelligible) everything.

RL: I can't hear.

TJ: (Unintelligible)

RL: Said, I can't hear you bra.

TJ: Yest- yesterday, when we talked. Everything was good.

RL: Ok.

TJ: And, um, what's up, what's up with the bro? (Male in background saying, "I'm about to text it to you) I need to talk to him.

RL: For, for the other shit?

TJ: Yeah.

RL: How mu, let me know how, I got one whole ki for you.

TJ: That's the only, only way? 'Cause I don't need that, that, I don't need the whole thing. That's the only thing he doing?

RL: How many you want?

TJ: Nnn, let's try 100.

RL: Alright, not today?

TJ: Yup, well it's my daughter's birthday so just set it up and I'll be, just give me a minute and I'll be ready when I need it.

RL: Alright.

TJ: It can't be, it got, it got to be, it got to be together though. I can't be, it can't be, can't be, bro, I don't want it broke, broke, broke, broke down.

RL: Bet, when you, when got not busy, I'm, I'll come see. Call me. I come to you.

TJ: Yup, just set me up for 100. I'll be ready.

RL: It's up to you.

TJ: I'm not gonna be all night. She's with the baby. I'm just gonna go have cake, ice-cream and shit and in a few hours, I'll be ready, so you can set it up.

RL: Alright Papi.

TJ: (unintelligible) Alright, thank you. Thank you, cuz.

201. Based on my training, experience, and knowledge of this investigation, I believe that CANDELARIO-LOPEZ is telling JACKSON he has an entire kilogram of fentanyl ready to sell JACKSON (“I got one whole ki for you”). JACKSON asks if CANDELARIO-LOPEZ’s supplier is only selling in kilograms because JACKSON does not need to purchase that quantity at the moment (“*That’s the only, only way? ‘Cause I don’t need that, that, I don’t need the whole thing. That’s the only thing he doing?*”). CANDELARIO-LOPEZ asks JACKSON how many grams JACKSON wants instead of an entire kilogram (“*How many you want?*”) and JACKSON says he wants 100 grams of fentanyl (“*let’s try 100*”) but cautions that he does not want it already diluted or cut (“*it got to be together though. I can’t be, it can’t be, can’t be, bro, I don’t want it broke, broke, broke, broke down*”). CANDELARIO-LOPEZ agrees (“*Bet, when you, when got not busy, I’m, I’ll come see. Call me. I come to you*”) and JACKSON tells CANDELARIO-LOPEZ to arrange the transaction because JACKSON will be available in a few hours after his daughter’s birthday party (“*just set me up for 100. I’ll be ready...I’m just gonna go have cake, ice-cream and shit and in a few hours, I’ll be ready, so you can set it up*”).

202. On **November 29, 2023**, at approximately **1:59 PM**, an outgoing text message to (585) 503-8905, utilized by CANDELARIO-LOPEZ, was intercepted on JACKSON CELL PHONE (Ref # 5169) which stated, “How long”.

203. At approximately **2:02 PM**, the following incoming call from (585) 503-8905, utilized by CANDELARIO-LOPEZ, was intercepted on JACKSON CELL PHONE (Ref # 5172):

TJ: Timothy Jackson

RL: Radhames Lopez

TJ: Yo.

RL: Yo, I'm driving Papi.

TJ: Ok, no rush, no rush. I was just checking. I am ready.

RL: Alright, Papi.

TJ: Alright.

204. At approximately **2:21 PM**, the following incoming call from (585) 503-8905, utilized by CANDELARIO-LOPEZ, was intercepted on JACKSON CELL PHONE (Ref# 5173):

TJ: Timothy Jackson

RL: Radhames Lopez

RL: Yop (inaudible)

TJ: Yop

RL: I am here, Papi.

TJ: Um, the back, the back door open.

RL: Alright, alright.

205. At approximately **2:21 PM**, pole camera footage showed CANDELARIO-LOPEZ park a DODGE Caliber bearing NYS license plate LAK4401 in the road across from 19 Angle Street, exit the vehicle and walk to the rear side of 19 Angle Street carrying a bag. At approximately **2:28 PM**, CANDELARIO-LOPEZ departs 19 Angle Street without the bag he carried to 19 Angle Street. At approximately **2:39 PM**, McCLARY's MAZDA arrived and parked in the road across from 19 Angle Street. McCLARY exited the vehicle and entered 19 Angle Street, down. Based on my training, experience, and knowledge of this investigation I believe that CANDELARIO-LOPEZ supplied JACKSON with fentanyl. I believe McCLARY came to assist JACKSON in breaking down and bagging the fentanyl.

206. On **January 10, 2024**, at approximately **10:29 PM**, an outgoing call to (585) 503-8905, utilized by CANDELARIO-LOPEZ, was intercepted on JACKSON CELL PHONE (Ref # 11210). During the call, CANDELARIO-LOPEZ asks, "What happened? You not, you not call me. I'm waiting for you. You remember that, that 100, on that 100?"

JACKSON tells CANDELARIO-LOPEZ he wants to order 250 grams of fentanyl, (“*I need, I need, that’s what I need. I need 250*”) and CANDELARIO-LOPEZ agrees to do so (“*Alright, alright. Let me, let me call you (inaudible) for Florida. Give me, give me, give me 10 minutes. I call you back.*”).

207. On **January 10, 2024**, at approximately **10:34 PM**, an incoming call from (585) 503-8905, utilized by CANDELARIO-LOPEZ, was intercepted on JACKSON CELL PHONE (Ref # 11211), during which CANDELARIO-LOPEZ asked “*Yo, Papi. You want today or tomorrow?*” to which JACKSON replied, “*Um, shit. I am ready now. It don’t, it don’t even matter. You know I trust you. We can work. We can work anytime Papi. We good*”. CANDELARIO-LOPEZ tells JACKSON, “*Give me like 30 minutes, alright?*” and JACKSON agrees, “*Yeup.*”

208. On **January 11, 2024**, at approximately **12:04 AM**, the following incoming call from (585) 503-8905, utilized by CANDELARIO-LOPEZ, was intercepted on JACKSON CELL PHONE (Ref # 11215).

TJ: Timothy Jackson

RL: Radhames Candelario-Lopez

TJ: Yo.

RL: You-Papi you, you here?

TJ: Yes, yes. I’m here. You just can’t... See me? I’m getting out the car right now. I’m parked in the cut there. I’m right there at the mechanic’s shop. I’m, I’m, I’m about to walk out right now. You about to see me.

RL: Alright, Papi.

209. Pole camera footage showed at approximately **12:01 AM**, a red Toyota Camry bearing New York license plate LBG7731 arrived at 19 Angle Street. At **12:06 AM**, pole camera footage showed JACKSON exit JACKSON’s TAHOE (that was parked at the M&D Auto Services lot next to 19 Angle Street) and walk over to the red Toyota. CANDELARIO-LOPEZ exited the front passenger seat of the red Toyota carrying a box. JACKSON and

CANDELARIO-LOPEZ then walk together toward the rear of 19 Angle Street out of view of the camera. At approximately **12:21 AM**, LOPEZ walked back to the red Toyota carrying the box, gets in and the Toyota leaves. Mobile surveillance (Invs. Lacolla, McEntee, and Taylor) followed the Toyota as it drove from Angle Street to 25 Kirkland Road, where CANDELARIO-LOPEZ exited the Toyota and entered 25 Kirkland Road carrying the box at approximately **12:30 AM**.

210. Based on my training, experience, and knowledge of this investigation, I believe JACKSON met with CANDELARIO-LOPEZ at 19 Angle Street and obtained the requested 250 grams of fentanyl from CANDELARIO-LOPEZ.

Search Warrant

211. On **January 17, 2024**, a N.Y. state search warrant was executed at CANDELARIO-LOPEZ's residence at 25 Kirkland Road, Rochester, New York. Upon entry, officers encountered CANDELARIO-LOPEZ, Yalitza Crespo, and 3 young children. Paperwork in the name of CANDELARIO-LOPEZ was observed throughout the residence.

212. In an upper kitchen cabinet, officers seized:

- Approximately 80.8 grams (pre-lab weight) of fentanyl packaged as follows:
 - 42 bags of suspected fentanyl, weighing approximately 14.6 grams;
 - one (1) plastic bag containing approximately 33 grams of fentanyl;
 - 134 envelopes and bags of fentanyl packaged in two (2) "red apple" bags, weighing approximately 23.1 grams;
 - one (1) plastic bag containing four (4) knotted bags of fentanyl weighing approximately 7.5 grams;
 - one (1) small vacuum-sealed bag containing approximately 2.2 grams fentanyl;

- one (1) small plastic bag containing two green wax envelopes containing fentanyl, weighing approximately 0.4 grams with packaging;
- one (1) plastic bag with 32 pouches of suboxone;
- one (1) digital scale;
- five (5) boxes of Wolf Precision Ammunition containing 97 rounds of .223 ammunition with Tulammo headstamp; and
- 18 rounds of 9mm ammunition: 2 rounds of Federal ammunition and 16 rounds of Blazer ammunition;

213. In a bag hanging on the basement door, officers seized \$2,265.00 in cash.

214. On the bed in the master bedroom, officers seized cell phone (585) 503-8095 that CANDELARIO-LOPEZ was intercepted over the wiretap arranging the fentanyl resupply with JACKSON (see Paragraphs 200-208).

215. After being advised of and waiving his Miranda rights, CANDELARIO-LOPEZ admitted to having heroin in the house, but said it was for personal use.

Donde LINDSAY a/k/a “Dundee”

216. Donde LINDSAY a/k/a “Dundee” is a 50 year-old male black with two prior felony convictions. In 1997, LINDSAY was convicted of Criminal Possession of a Controlled Substance in the Fourth Degree, a class C felony, for which he was sentenced to 3 to 6 years imprisonment. In 1995, LINDSAY was convicted of Criminal Possession of Stolen Property in the Fourth Degree, a class E felony, for which he was sentenced to 1 year imprisonment. Between 2006 and 2012, LINDSAY has four misdemeanor drug convictions reduced from felony drug charges.

217. LINDSAY is a mid-level narcotics distributor who obtains larger quantities of cocaine from JACKSON that he processes into crack cocaine at his residence at 135 Fifth Street (up), Rochester, New York.

Intercepted Calls Involving LINDSAY

218. On **November 3, 2023**, at approximately **1:16 PM**, an incoming call from LINDSAY CELL PHONE was intercepted on JACKSON CELL PHONE (Ref # 362) during which LINDSAY asked JACKSON to “*swing through when you get a chance*” and JACKSON agreed to do so by saying, “*Ok, here I come*”. At approximately **2:47 PM**, surveillance officers (Investigators McEntee and Taylor) observed JACKSON leave his residence at 45 Willmont Street in JACKSON’s FORD and drive directly to the area of 135 Fifth Street. While there, a male subsequently identified as LINDSAY met briefly with JACKSON by the open door of JACKSON’s FORD. LINDSAY then returned to 135 Fifth Street and JACKSON departed and drove to 86/88 Forester Street, parking in the driveway at approximately **2:54 PM**. Based on my training, experience, and knowledge of this investigation, I believe JACKSON was supplying LINDSAY with a quantity of narcotics.

Controlled Purchases of Cocaine from LINDSAY after JACKSON supplies LINDSAY

Controlled Purchase #1 from LINDSAY after resupply from JACKSON

219. On **January 10, 2024**, Ontario County Sheriff’s Office (hereinafter OCSO) utilized a confidential informant (hereinafter CI-9), to make a controlled purchase of approximately one ounce (28 grams) of cocaine from a male CI-9 knows as “Dundee” who

lives at 135 Fifth Street, upstairs apartment in the City of Rochester.¹³ At approximately **3:45 PM**, CI-9 contacted “Dundee” at cellular phone (585) 415-7533 and ordered an ounce of crack cocaine. The investigation has revealed that the male who utilizes (585) 415-7533 is a drug dealer supplied by JACKSON named Donde Lindsay (hereinafter LINDSAY) of 135 Fifth Street, Up. At approximately **3:46 PM**, the following incoming call from (585) 415-7533, used by LINDSAY (hereinafter LINDSAY CELL PHONE) was intercepted on JACKSON CELL PHONE (REF# 11163) that went unanswered.

220. At approximately **4:17 PM**, the following incoming call from LINDSAY CELL PHONE was intercepted on JACKSON CELL PHONE (Ref # 11174) during which LINDSAY told JACKSON, “*I need to see you, as soon as possible*” to which JACKSON replied, “*Alright, yeah. I’m comin’.*”

221. At approximately **4:50 PM**, pole camera footage showed JACKSON speak to McCLARY in the street in front of 19 Angle, then enter JACKSON’s TAHOE, and leave the area.

222. At approximately **5:13 PM**, mobile surveillance observed JACKSON arrive in JACKSON’s TAHOE and pull into the driveway 135 Fifth Street. At approximately **5:19 PM**, mobile surveillance observed JACKSON’s TAHOE depart 135 Fifth Street.

223. At approximately **7:40 PM**, Investigators with the OCSO met with CI-9. CI-9 was searched for contraband, the search was negative. CI-9 was provided with an audio transmitter and with RPD funds to make the controlled purchase of crack cocaine from LINDSAY. In the presence of OCSO Investigators Hudgins and Colburn, CI-9 placed a

¹³ CI-9 has been utilized as a confidential informant for OCSO for about two weeks. CI-9 is working off state felony drug charges pursuant to a state contract. CI-9’s information has been credible and reliable, and corroborated by other independent sources.

recorded call to LINDSAY at (585) 415-7533 to see if LINDSAY was ready for CI-9 to come see him. LINDSAY told CI-9 that he needed “*to put it together.*” In another recorded call several minutes later, LINDSAY told CI-9 that LINDSAY “*had it on the stove.*” CI-9 understood that LINDSAY meant he was cooking the powder cocaine into crack cocaine. At approximately **8:11 PM**, CI-9 was driven directly to 135 Fifth Street by OCSO Investigators. CI-9 entered 135 Fifth Street and purchased 29.43 grams (pre-lab weight) of suspected crack cocaine from LINDSAY. CI-9 returned to the vehicle with OCSO investigators. After driving to a predetermined location, investigators recovered the suspected crack cocaine and searched CI-9 for contraband with negative results. RPD Investigator Minurka field-tested the suspected crack cocaine and received a positive result for the presence of cocaine.

224. Based on my training, experience, and knowledge of this investigation, I believe the approximately 29 grams of crack cocaine CI-9 purchased from LINDSAY was cooked from powder cocaine JACKSON sold LINDSAY earlier. Approximately one minute after CI-9 placed an order for one ounce of crack cocaine, LINDSAY contacted JACKSON and said he needed to meet for the purpose of obtaining cocaine from him. After LINDSAY was done processing the powder cocaine he obtained from JACKSON by cooking it into crack cocaine, he sold it to CI-9.

Controlled Purchase #2 from LINDSAY after resupply from JACKSON

225. On **January 11, 2024**, OCSO utilized CI-9 to make another controlled purchase of approximately 1 ounce (28 grams) of cocaine from the male CI-9 knows as “Dundee” (LINDSAY). At approximately **7:46 PM**, CI-9 contacted a male the investigative team knows to be LINDSAY (who lives at 135 Fifth Street, up apartment) at

LINDSAY CELL PHONE and ordered an ounce of crack cocaine. At approximately **7:54 PM**, an incoming call from LINDSAY CELL PHONE was intercepted on JACKSON CELL PHONE (Ref# 11299).

TJ: Timothy Jackson

DL: Donde Lindsay

DL: Yo.

TJ: Yo, my bad I was at the job.

DL: Ok, ok. Need to see you.

TJ: Alright, coming.

226. At the time of this call, the GPS on JACKSON's TAHOE showed JACKSON in the area of Monroe High School. As previously mentioned, JACKSON is an employee with the City of Rochester Pathways to Peace and is expected to be at an area school at designated times working in that capacity.

227. At approximately **8:04 PM**, an outgoing text message from LINDSAY CELL PHONE was intercepted on JACKSON CELL PHONE (Ref # 1077) that said "Here". The data from the GPS installed on JACKSON's TAHOE reflected that the vehicle was at 135 Fifth Street. Mobile surveillance (Inv. Rine) observed JACKSON's TAHOE at the location. At approximately **8:25 PM**, mobile surveillance (Inv. Rine) observed JACKSON's TAHOE leave 135 Fifth Street. Based on my training, experience, and knowledge of this investigation, I believe JACKSON delivered either 31 grams or 62 grams of cocaine to re-supply of cocaine LINDSAY after CI-9 had requested the narcotics from LINDSAY.

228. Investigators with the OCSO met with CI-9. CI-9 was searched for contraband, the search was negative. CI-9 was provided with an audio transmitter and with RPD funds to make the controlled purchase of crack cocaine from LINDSAY.

229. At approximately **9:10 PM**, CI-9 was driven directly to 135 Fifth Street by

OCSO Investigators to complete the controlled purchase. CI-9's interactions were electronically monitored. CI-9 walked directly to the rear of 135 Fifth Street. A brief conversation between CI-9 and LINDSAY took place and CI-9 returned directly to the OCSO undercover vehicle and turned over the suspected crack cocaine. According to CI-9, CI-9 met **LINDSAY** just inside the rear door to the upstairs apartment at 135 Fifth Street and exchanged \$850.00 in official RPD buy money for 29.28 grams of suspected crack cocaine and immediately returned to the investigators and turned over the suspected crack cocaine. RPD Investigator Minurka field-tested the suspected crack cocaine and received a positive result for the presence of cocaine.

Controlled Purchase #3 from LINDSAY after resupply by JACKSON

230. On **January 16, 2024**, at approximately **9:15 PM**, in the presence of OCSO Investigators Hudgins and Colburn, CI-9 placed a recorded call to LINDSAY at (585) 415-7533 and ordered 62 grams of crack cocaine for \$1,700.00 from LINDSAY. At approximately 9:29 PM, an incoming call from (585) 415-7533, utilized by LINDSAY, was intercepted on JACKSON CELL PHONE (Ref # 12004) in which LINDSAY said "*Yo, about to swing through*" and JACKSON replied, "*Ok*". At approximately **10:35 PM**, the data from the GPS tracker on JACKSON'S TAHOE reflected that JACKSON departed 45 Willmont Street and arrived at Fifth Street at approximately **10:39 PM**, and returned to 45 Willmont Street at approximately **10:53 PM**.

231. At approximately **11:04 PM**, OCSO Investigators CI-9 searched for contraband (negative results) and provided CI-9 an audio transmitter and RPD funds to make the controlled purchase of crack cocaine from LINDSAY. CI-9 was driven directly to 135 Fifth Street by OCSO Investigators. At approximately **11:07 PM**, CI-9 walked to the

rear of 135 Fifth Street and met with LINDSAY inside 135 Fifth Street at approximately **11:11 PM**, and purchased 58.58 grams (pre-lab weight) of suspected crack cocaine from LINDSAY. At approximately **11:16 PM**, CI-9 returned to the vehicle with OCSO investigators. After driving to a predetermined location, investigators recovered the suspected crack cocaine and searched CI-9 for contraband with negative results. RPD Investigator Minurka field-tested the suspected crack cocaine and received a positive result for the presence of cocaine.

232. Based on my training, experience, and knowledge of this investigation, I believe that JACKSON supplied LINDSAY with the approximately 62 grams of crack cocaine which LINDSAY in turn sold to CI-9.

Search Warrant

233. On **January 17, 2024**, a N.Y. state search warrant was executed at 135 Fifth Street, Rochester, NY. Upon entry, law enforcement encountered LINDSAY.

234. During the search, officers seized a Smith and Wesson, SW9F, 9mm pistol, with a defaced serial number loaded with 6 rounds of 9mm ammunition in the magazine from the bedroom.

235. After being advised of and waiving his Miranda rights, LINDSAY told law enforcement, in sum and substance, that the firearm is his, and he has it for protection.

INTERSTATE NEXUS OF SEIZED FIREARMS AND AMMUNITION


236. SA Andrew Farnham, an expert who has testified in federal court concerning the origin of manufacture for firearms and ammunition, has reviewed descriptions of the

seized firearms described in this affidavit, and the 97 rounds of Wolf Precision .223 caliber ammunition manufactured by Tulammo seized at 25 Kirkland Road (see Paragraph 212). SA Farnham has advised me that with the exception of the Personally Made Firearms (PMF's), none of the seized firearms (including lowers), nor the rounds of Tulammo ammunition seized at 25 Kirkland Street was manufactured in the State of New York. Therefore, the seized firearms (excluding PMF's) and the rounds of Tulammo ammunition would have traveled in interstate commerce prior to their recovery in New York.

CONCLUSION

237. Based on the above information, your affiant submits that probable cause exists to believe that TIMOTHY JACKSON JR, GARY FULLER, AMARILIS DIAZ, SHAWNLE McCLARY, RADHAMES CANDELARIO-LOPEZ, FELICIA COLLINS, SHAMAR ANDERSON, JAVIER DAVILA, and DONDE LINDSAY have committed violations of Title 21, United States Code, Sections 846 (conspiracy to possess with intent to distribute and to distribute 5 kilograms or more of cocaine and/or 400 grams or more of fentanyl), and (except CANDELARIO-LOPEZ and DIAZ), Title 18, United States Code, Section 924(c)(1)(A) (possession of firearms in furtherance of drug trafficking crime), and that JACKSON, FULLER, McCLARY, CANDELARIO-LOPEZ, and LINDSAY have further committed violations of Title 18, United States Code, Section 922(g)(1) (felon in

possession of firearm and/or ammunition).



SEAN KRUMHOLZ
Special Agent
Bureau of Alcohol, Tobacco, Firearms,
and Explosives

Affidavit and Criminal Complaint submitted electronically by email in .pdf format. Oath administered, and contents and signature, attested to me as true and accurate telephonically pursuant to Fed.R.Crim.P. 4.1 and 4(d) on: January 22, 2024.



HONORABLE MARIAN W. PAYSON
United States Magistrate Judge